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**Debates on the
Problems of the People
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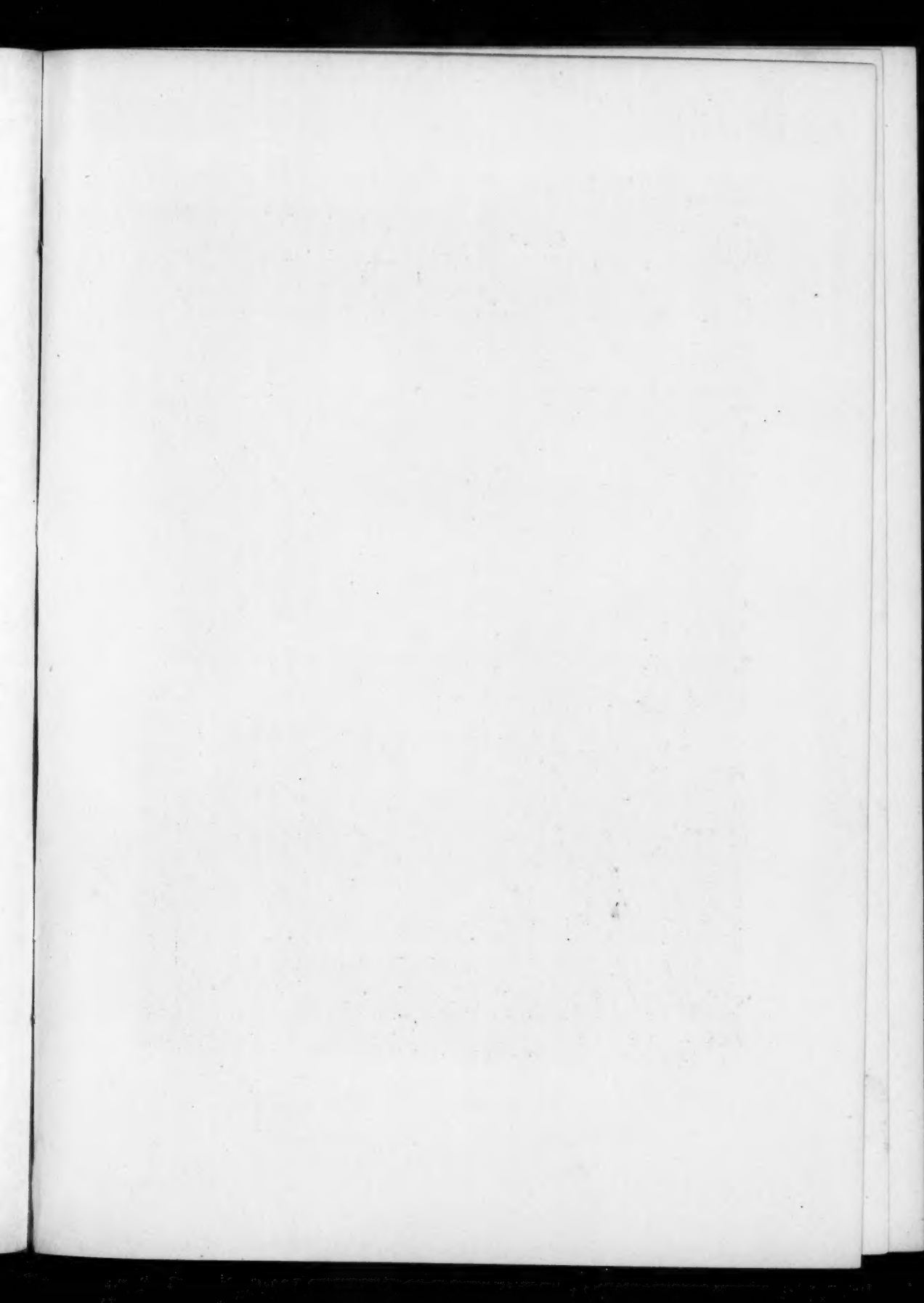


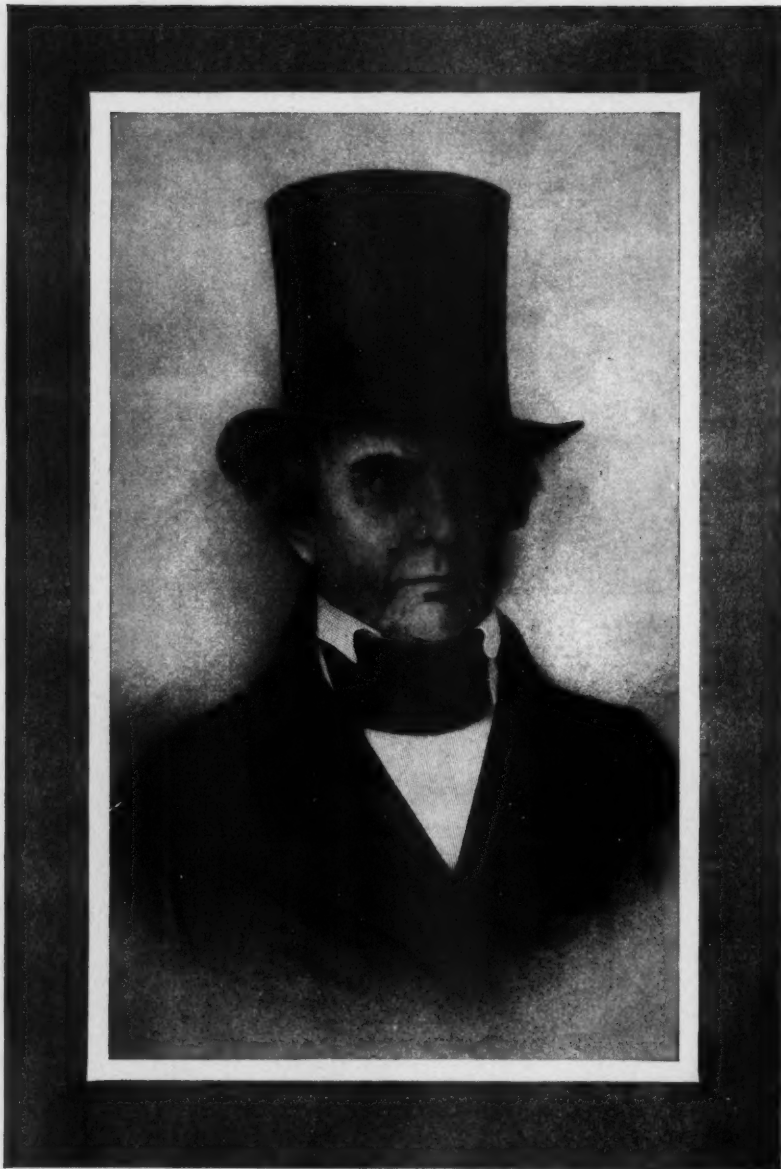
Not afraid of Chaps!

OF ALL SCENTED SOAPS PEARS' OTTO OF ROSE IS THE BEST.

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DANIEL WEBSTER

In defending the Federal idea against the advocates of state's rights, Webster said, in his Reply to Hayne, 1830: "I wish no new powers drawn to the general government; but I confess I rejoice in whatever tends to strengthen the bond that unites us."

THE READER

An Illustrated Monthly Magazine

VOLUME IX

MARCH, 1907

NUMBER 4

THE NATION VERSUS STATE'S RIGHTS

THE FIRST DEBATE IN THE SERIES ON

THE PROBLEMS OF THE PEOPLE

WILLIAM JENNINGS BRYAN

ALBERT J. BEVERIDGE

In this number Mr. Bryan is followed by Senator Beveridge on "The Nation." In April Mr. Beveridge will reply to Mr. Bryan and Mr. Bryan will answer the Senator.

OUR DUAL GOVERNMENT

By WILLIAM JENNINGS BRYAN

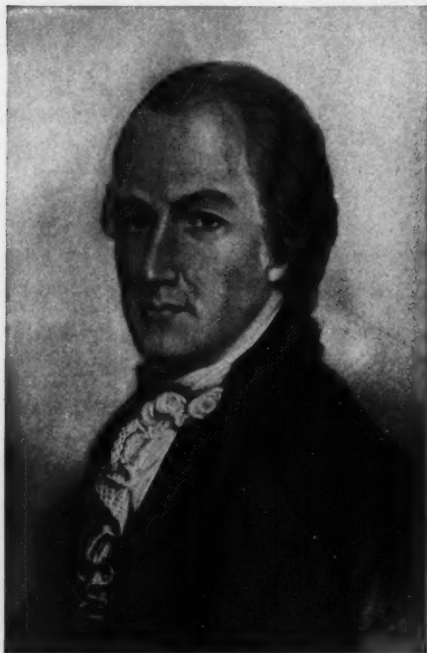
IT is not strange that from the very beginning there has been a conflict between the federal government and the state governments. It could not be otherwise. The line between two states can be drawn upon the earth's surface and marked by pillars or a wall; the boundary line between two nations can be located and established by visible monuments; but it is different when we come to deal with theories of government and with ideas. In the realm of thought words serve as pillars and sentences as boundary walls, but words are subject to definition and sentences to construction—and some human tribunal must be entrusted with the authority to define and construe.

Our forefathers had even a greater difficulty in drafting the constitution. In addition to differences of opinion as to

the meaning of words and as to the interpretation of phrases, they were at variance concerning theories of government, methods of administration and the balancing of powers. They were agreed in desiring an independent government, and they recognized that the Articles of Confederation were insufficient to support such a government as was needed, but the members of the convention represented all shades of political opinion and all degrees of confidence in a republican form of government. Besides two distinct schools of thought, led, respectively, by Jefferson and Hamilton, there were those who stood between the extremes and endeavored to compromise conflicting opinions.

Jefferson was not a member of the Constitutional Convention, but he was already recognized as an exponent of the

most democratic element, while Hamilton, a member of the convention, was the champion of the most conservative position. The controversy was not sec-



ALEXANDER HAMILTON

At the recent banquet of the Gridiron Club of Washington, the spectacle was humorously presented of the President in the year 1917 erasing the chalk boundaries between the states and leaving the central government supreme—precisely the policy for which Hamilton argued in his "Federalist" papers, one hundred and twenty years ago.

tional, for delegates from the same state were to be found on opposing sides of fundamental propositions.

HAMILTON'S PLAN

Alexander Hamilton contended with great ability and earnestness for a centralized, consolidated and aristocratic government. He presented a draft of his plan and defended it at length; his speech, as reported at the time by Madison and afterward approved by Hamilton himself, is preserved in the debates on the adoption of the federal constitu-

tion. The Hamilton plan contained the following general provisions:

First. The supreme legislative power of the United States of America to be vested in two different bodies of men; the one to be called the assembly, the other the senate.

Second. The assembly to consist of persons elected by the people, to serve for three years.

Third. The senate to consist of persons elected to serve during good behavior; their election to be made by electors chosen for that purpose by the people.

Fourth. The supreme executive authority of the United States to be vested in a governor, to be elected to serve during good behavior; the election to be made by electors chosen by the people in the election districts aforesaid. The authorities and functions of the executive to be as follows: to have a negative on all laws about to be passed, and the execution of all laws passed, etc.

Tenth. All laws of the particular states contrary to the constitution or laws of the United States to be utterly void; and the better to prevent such laws being passed, the governor or president of each state shall be appointed by the general government, and shall have a negative upon the laws about to be passed in the state in which he is the governor or president.

Eleventh. No state to have any forces, land or naval; and the militia of all the states to be under the sole and exclusive direction of the United States, the officers of which militia to be appointed and commissioned by them.

Provisions five to nine, inclusive, are omitted because they do not bear directly upon the subject under discussion.

Provisions one, two, three, four, ten and eleven are reproduced, as they show the general form of the government that Hamilton had in mind, and the standpoint from which he viewed gov-

ernment. The senate was to be modeled after the English House of Lords, which he described as "a noble institution." "Having nothing to hope for by a change," he added, "and a sufficient interest, by means of their property, in being faithful to the national interest, they form a permanent barrier against every pernicious innovation, whether attempted on the part of the crown or of the commons. No temporary senate will have firmness enough to answer the purpose."

The discussion in the Constitutional Convention disclosed the fears which Hamilton entertained in regard to popular government. He thought that those who favored a seven-year term for the senators did not duly consider "the amazing violence and turbulence of the democratic spirit," and he insisted that nothing short of a tenure for life, or during good behavior, would give the senators the courage to resist "the popular passions."

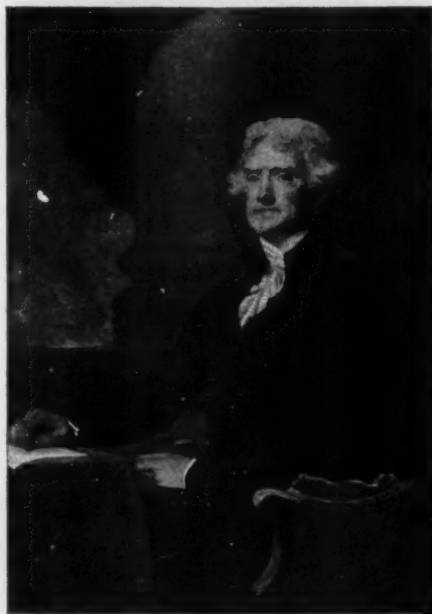
DISTRUST OF THE PEOPLE

He favored, as will be seen above, an executive holding office for life or during good behavior. He referred to the English model as the only good one because "the hereditary interest of the king was so interwoven with that of the nation, and his personal emolument so great, that he was placed above the danger of being corrupted from abroad; and at the same time was both sufficiently independent and sufficiently controlled to answer the purpose of the institution at home."

He insisted upon the appointment of the governors of the various states by the general government as necessary to prevent the states from passing laws in conflict with the federal government.

He even doubted the ability of the delegates to frame a general government and at the same time preserve the state governments. He thought "the general

power, whatever be its form, if it preserves itself, must swallow up the state powers. Otherwise it will be swallowed up by them." In explaining his language the next day he said that "By an abolition of the states he meant that no boundary could be drawn between the national and state legislatures; that the former must therefore have indefinite authority. If it were limited at all, the rivalry of the states would gradually subvert it. Even as corporations, the extent of some of them, as Virginia, Massachusetts, etc., would be formidable. As states, he thought they ought to be abolished. But he admitted the necessity of leaving in them subordinate juris-



THOMAS JEFFERSON

"Let the General Government be reduced to foreign concerns only, . . . reduced to a very simple organization and a very inexpensive one—a few plain duties to be performed by a few servants."

Letter to Gideon Granger, August 13, 1800.

dictions." (I have given these quotations in indirect discourse as they are reported in Madison's papers.)

Proposition eleven of his plan contem-

plated the consolidation of the states into one federal government, the state militia to be controlled, and its officers appointed by the federal government.

Such, in brief, were the views of one of the great constructive statesmen of the early period. He was a thinker, but his thought was permeated with a distrust of the people, and he was haunted by the fear—and it led him to fight the duel which resulted in his death—that they would overturn the government or menace its stability. It was this fear of the people which led him to favor life tenure; the farther the government was removed from the people the greater his confidence in it. His distrust of the states was a natural outgrowth of his distrust of the masses; lacking faith in the average man, he lacked faith in the idea of local self-government upon which our theory of government rests.

THE JEFFERSONIAN IDEA

Jefferson, on the contrary, was a believer in man; he affirmed not only the right of man to self-government, but the capacity of man for self-government. Commencing with individual liberty and the inalienable rights of the man, he proceeded to the defense of the rights of the community. Following out this doctrine he insisted that matters which concerned the state only should be decided by the state and that only national affairs should be entrusted to the national government. In his first inaugural address he set forth what he deemed "the essential principles of our government, and consequently those which ought to shape its administration." In this statement of principles he presented his views respecting the spheres of the general government and the state government as follows:

"The support of the state governments in all their rights, as the most competent administrations for our domestic concerns and the surest bulwarks against

anti-republican tendencies; the preservation of the general government in its whole constitutional vigor, as the sheet anchor of our peace at home and safety abroad."

Jefferson placed his defense of the state government upon two grounds: first, that it is more competent to administer domestic concerns, and second, that it is a bulwark against centralization. So tenacious was he about the preservation of the state's influence that he insisted an amendment should be added at once specifically asserting that "the powers not delegated to the United States by the constitution, nor prohibited by it to the states, are reserved to the states respectively or to the people."

Jefferson's part in the adoption of the ten amendments is referred to in a letter which he wrote in 1802, while he was President, to Joseph Priestly. He says: "One passage in the paper you enclose me must be corrected. It is the following: 'And all say it was yourself more than any other individual that planned and established the constitution.' I was in Europe when the constitution was planned, and never saw it until after it was established. On receiving it, I wrote strongly to Mr. Madison, urging the want of provision for the freedom of religion, freedom of the press, trial by jury, habeas corpus, and substitution of militia for a standing army, and an express reservation to the state of all rights not specifically granted to the union. He accordingly moved in the first session of congress for these amendments, which were agreed to and ratified by the states as they now stand. This is all the hand I had in what related to the constitution."

DUAL FORM OF GOVERNMENT

The ten amendments cover many subjects, but they all relate to two things, viz.: the protection of the individual and the assertion of the doctrine of local

self-government. The individual was safeguarded in his right to worship God according to the dictates of his conscience, in his right to speak his mind and to put his thoughts on paper, in his right to assemble and to petition; in his right to bear arms, in his right to trial by jury, and in his right to hold property. So careful were those who insisted upon these amendments that after enumerating all the rights they could think of, added amendment nine as a precaution: "The enumeration in the constitution of certain rights shall not be construed to deny or disparage others retained by the people." The tenth amendment carries the same doctrine a little farther, and gives the state the benefit of the presumption as against the general government where a power is neither granted nor denied.

The reservation of power to the state is all the stronger because it is specifically set forth in the amendment. Had the language of the amendment been inserted in the constitution itself, it would not have shone out so boldly. The constitution was ratified with the understanding that the amendments would be added at once, and they were, in fact, submitted by the first congress, and in a short time were ratified by the necessary number of states. There can be no doubt that those who lived at the time of the adoption of the constitution favored the dual form of government, and believed in the wisdom of and the necessity for this division of power. Those who held to the strict construction of the constitution on this subject obtained control of the government eleven years after the constitution was framed, and retained control for a quarter of a century.

HAVE THE TIMES SO CHANGED?

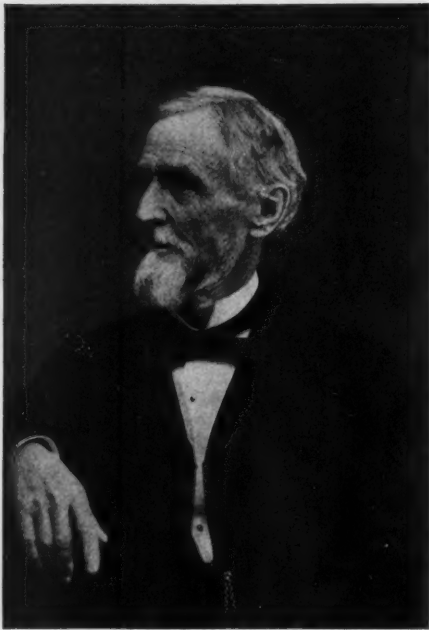
But admitting that the framers of the constitution and those who lived in the early days were champions of the dual idea, an important question presents it-

self, viz., Have time and events so altered conditions as to make it wise or necessary to disturb this equilibrium between the state and the nation? The framers of the constitution recognized the possibility of error in themselves and the possibility of change in conditions, and therefore provided a way of amending the constitution. If the time has come for obliterating state lines and consolidating all authority, legislative, judicial and executive, at Washington, it can be done by constitutional amendment whenever three-fourths of the states are willing to ratify such an amendment.

But is there any demand for a surrender by the states of the powers reserved to them? On the contrary, every reason which existed one hundred and eighteen years ago exists now, and those reasons are even stronger than they formerly were, because of the increase in the area and population of the nation. Then, there were a few million people scattered along the eastern coast. The thirteen states have grown to forty-six, and eighty millions of people are now governing themselves through the machinery set in motion by the constitutional convention of 1789.

The states are even more needed than they formerly were for the administration of domestic affairs. As a matter of theory, that government is best which is nearest to the people. If there is any soundness at all in the doctrine of self-government, the people can act most intelligently upon matters with which they are most familiar. There are a multitude of things which can be done better by the county than by state authority, and there are a multitude of things which can be done better by the state than by the federal government. An attempt to transfer to the national capital the business now conducted at the state capitals would be open to two objections, either of which would be fatal. First, congress could not transact the business. The work now devolving on the national

legislature makes it difficult to secure consideration for any except the most important measures. The number of bills actually discussed in a deliberate



JEFFERSON DAVIS

One of the most tragic figures in the history of the American people—a man whose whole life was sacrificed to the defense of the doctrine of the supremacy of the rights of the states over those of the nation, and whose shoulders bore the enormous weight of having led their terrible rebellion.

way is small; most of the bills that pass are rushed through by unanimous consent, and a still larger number die on the calendar or in committee.

Second, the members of congress could not inform themselves about local needs. The interests and industries of the nation are so diversified and the various sections so different in their needs that the members of congress from one part of the country would be entirely ignorant of the conditions in other parts of the country. Whenever congress attempts legislation now for a particular section, the matter is usually left to the members from that section, but

more often the matter is crowded out entirely by larger interests.

The farther the legislative body is from the community affected by the law, the easier it is for special interests to control. This has been illustrated in state legislatures when long-time charters have been granted to franchise corporations by the votes of members whose constituents, not being interested, do not hold them to strict account, and it would be worse if congress acted on the same subjects.

THE FORERUNNER OF DESPOTISM

Jefferson's second reason for supporting state governments in all their rights was that they were the surest bulwark against anti-republican tendencies. Those anti-republican tendencies exist to-day, and the bulwark can not be dispensed with. While popular government is growing stronger all over the world, there are still those in this country who distrust the people. There are many prominent men who regard Hamilton as the greatest of the political thinkers of his day, although his statesmanship can not be considered independently of the views embodied in his plan of government. There are those who are constantly irritated by the limitations which the constitution has placed upon the sphere of the federal government, and who resent the independence of the state in its local affairs. This very irritation ought to be a warning; if there are those who are irritated because they can not override the wishes of the community, what would be the irritation in the community if the wishes of its members were overridden? A systematic absorption of power by the federal government would not only cause discontent and weaken the attachment of the people for the government, but a withdrawal of power from the state would breed indifference to public affairs—the forerunner of despotism.

The exercise by the federal government of restraining power is not so objectionable as the exercise of creative power, but even in the exercise of restraining power care should be taken to preserve to the states the exercise of concurrent authority, so that the state government, as well as the national government, can stand guard over the rights of the citizen.

ENLARGEMENT OF FEDERAL POWERS

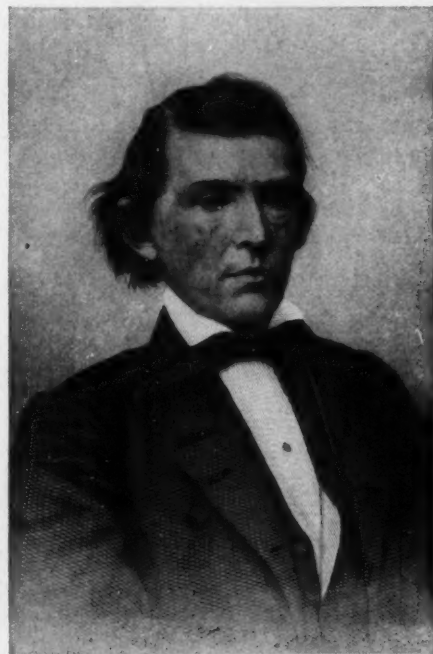
The demand for the enlargement of the powers of the federal government comes from two sources, viz., from those who believe with Hamilton in the theory of centralization, and from those who want legislation which the state's rights doctrine obstructs. Of these two classes the last is most influential, because the members of this class impart to their method the strength supplied by the object aimed at. An abstract theory seldom provokes discussion, but wars have been fought over a theory embodied in a concrete issue.

First, there is the effort to secure the national incorporation of railway and industrial enterprises. Those who desire this hope for an act of congress and a favorable court decision sustaining it. They could hardly hope for the adoption of an amendment to the constitution. The national incorporation of business enterprises is sought in order to avoid state courts and state regulation, but in view of the growing sentiment against monopolies the subject will hardly reach the courts, for it is not likely that a majority of congress can be brought to favor any enlargement of the power of commercial corporations.

A second argument has recently been made in favor of extending the sphere of the general government, viz., that it is necessary to do so to protect the treaty rights of foreigners. Some have even gone so far as to assume that congress has power to carry out the terms of a

treaty without regard to constitutional provisions. This is a very palpable error, for the President and senators who join in the making of a treaty are bound by oath to support the constitution, and they can make no binding treaty which violates the constitution. A constitution which can only be amended by the concurrence of the people of three-fourths of the states can not be suspended by the mere concurrence of the President and the senate.

The exclusion of Japanese students from certain of the schools of San Francisco aroused the discussion in regard to the treaty rights of the members of that



ALEXANDER H. STEPHENS

Vice-president of the Confederacy, whose love for his native Georgia led him to take up the cause of the states against the nation.

race living in San Francisco. Upon no subject will the people of a state insist more strenuously in controlling their own affairs than in matters of education.

The school room is in close and constant contact with the home, and the parents, having a vital interest in the instruction of their children and an intimate acquaintance with local conditions, would not and should not consent to national control or supervision. No construction of the constitution could bring state schools within the scope of federal legislation, and no amendment contemplating such a change would commend itself to any section of the country.

ANTI-TRUST LEGISLATION

The third and most attractive proposition looking to an enlargement of the powers of the general government is that involved in anti-trust legislation. There is a real evil to be corrected, and a real public sentiment to be satisfied. A constitutional amendment was proposed a few years ago specifically authorizing congress to deal summarily with the subject. It was opposed by Democrats on the ground that it did not protect the rights of the states. While such an amendment, properly drawn, conferring plenary power upon congress, but reserving to the several states the powers which they now have, would be unobjectionable, it has not yet been shown to be necessary. Congress has power to control interstate commerce, and the de-

cision of the supreme court in the lottery case leaves little doubt that that power can be so exercised as to withdraw the interstate railroads and telegraph lines and the mails from corporations which control enough of the product of any article to give them a virtual monopoly. No assault upon the authority or contraction of the sphere of the state can be justified on the ground that it is necessary for the overthrow of monopolies. Federal remedies should supplement state remedies; they should not be substituted for state remedies.

CONSTITUTIONAL AMENDMENTS

Two constitutional amendments have been shown to be necessary: one relating to the method of electing United States senators, and the other to the income tax. The first amendment is required to make the senator the servant of the people whom he represents; the second is necessary to permit an equitable distribution of the burdens of the federal government; but neither of these amendments would disturb in the least the balance between the general and the state governments. So delicately was this balance adjusted in the beginning that the dual form of government designed by the fathers adjusts itself ever more perfectly to conditions as our nation develops.

THE NATION

By ALBERT J. BEVERIDGE

WHAT is the nation? It is the American people in the mass. And what are the states? They are the same American people split up into forty-six groups. So there can be no danger from the national government, except the danger that comes from the American people themselves acting in common; and, of course, the people are

not going to injure themselves or their own interests.

But these same people, split up into forty-six smaller "sovereignities," are in danger; because powerful interests which exploit the people and the nation's resources can more easily handle a smaller portion of the American people for their purposes than they can handle

the entire eighty millions of the people for their purposes. And if they are defeated in one state—one small subdivision of the American people—they always have forty-five other chances.

STATE'S RIGHTS FOR REVENUE

This analysis reveals the heart of the present battle against the people's instinctive effort toward national unity. Every corporation, so great that its business is nation-wide, is championing state's rights. Every railroad that has felt the regulating hand of the nation's government is earnestly for state's rights. Every trust attorney is declaiming about "the dangers of centralization." Do you know one who is not? Indeed, this present conflict largely grew out of the assertion of nationality in the rate bill and other acts which extended the control of the people's government over the railroads, and in the activity of the nation in investigating certain mammoth businesses. I do not say that all advocates of state's rights are trust attorneys, but that all trust attorneys are advocates of state's rights.

In what is said in this paper about the origin and motive power behind the present revival of state's rights I do not include that great body of able and upright men who, on principle, sincerely oppose centralization. Of course, most believers in state's rights are earnest, honest, patriotic, and at their head in talent, purity and courage stands Mr. Bryan. So when I describe the selfish money interests which now seek, as they have always sought, their own benefit behind state's rights, I do not refer to those who adhere to that doctrine on principle.

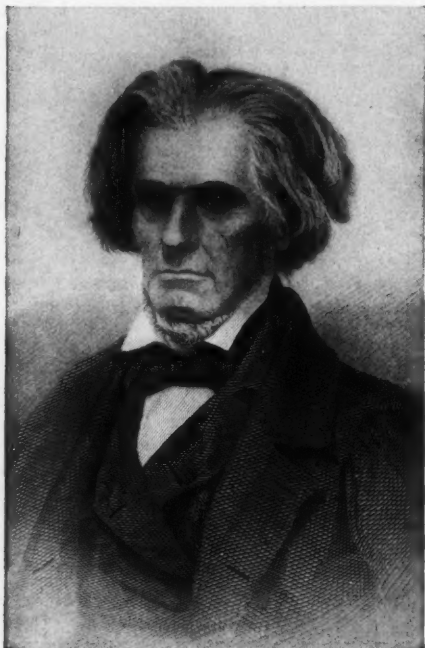
Of course, this well-known position of these vast interests is entirely selfish. Every financial power looks after its own welfare exclusively. If it meant money in the pockets of the railroads and trusts, does anybody doubt that they

would be as eager to see the powers of the people's congress increased, as they are to see the powers of the people's congress diminished? And does anybody doubt that the real reason of these mighty financial interests for engineering this twentieth century crusade for state's rights is that they believe that by curbing the power of the American people expressed through the people's congress they can better "protect" their plans for financial gain?

CLEVELAND AND THE CHICAGO RIOTS

This illustration: In 1896 I was called upon to close the campaign for my party in Chicago, answering Governor Altgeld's Cooper Union speech in New York. He had with marked ability attacked President Cleveland for sending troops to Chicago in the riots of the preceding year, and charged us with indorsing that action. The constitution forbids the president from sending national soldiers to a state to suppress disorder when neither the legislature nor the governor calls for them. Neither Governor Altgeld nor the Illinois legislature had called for troops, and so this ablest advocate of state's rights since Calhoun denounced President Cleveland's action as a violation of the constitution. We accepted the issue; and my speech was directed exclusively to the right of the president to send troops to a state, when both the governor and legislature were in league with the mob, and the mob was burning property and destroying life. This mob was not the railway workingmen or any real workingmen. It is only stating history to say that the Railway Managers' Association, by subjecting the railway employees to something like bondage, forced the employees themselves to organize into the American Railway Union, and thus made the strike itself at least excusable. The original moral lawlessness was committed by the managers' association.

But it happened that it was the property of the railroad companies and other great corporations which had been destroyed. So the speech was instantly in-



JOHN C. CALHOUN

The ablest exponent of the doctrine that any individual state, feeling her interests endangered by the national government, had the inherent right to nullify the constitutional federation and withdraw from the Union.

dorsed with hot enthusiasm by every railroad and great corporation in the country. The great financial interests were at that time all for "nationality"—all against "state's rights." Yet when during the last five years the nation's congress passed laws requiring that simple justice of these same interests which is required between man and man; and when President Roosevelt dared execute these laws, they immediately about-faced and are as much against "nationality" and for "state's rights" now as they were against state's rights and for nationality then.

The statesmanship of Theodore Roose-

velt, which brings to another crisis this century-old conflict, is a natural continuation of the statesmanship of Washington, Jackson and Lincoln. None of them was an "autocrat," "tyrant," etc., though all were called so. Their statesmanship was only the sense and righteousness of the American people striving to act in common, although it was called "centralization" and "dangerous extension of national power." Then, precisely as it is now, none of them was a "destroyer of our liberty," though they were all bitterly assailed as such. Each was in his own period merely the master workman and the directing voice among the American millions working in the building of the nation.

EARLY LEGISLATION AND STATE'S RIGHTS

Perhaps the exact meaning of nationality and state's rights can be best defined by reciting in more detail what each theory has meant in tangible laws and policies from the beginning until now. For example, it became necessary in the opinion of congress to charter a national bank. The purpose of this was to secure an easier transportation of the people's money from one part of the republic to another. State's rights denied the existence of this power—and it seemed that state's rights had the best of the argument, contending that the national government is one of "enumerated powers," and that it has no power except such as is expressly "delegated" to it by the constitution.

And the constitution gave congress *no power to charter a bank*. The supreme court, in an opinion which is almost as important as the constitution itself, said that not all the powers of the national government were given in express terms; but that it has any and all powers which can be *implied* from those expressly granted. Therefore, said the supreme court, while the constitution gives congress no power to charter a bank, it does

give it power to raise armies, equip navies, etc.; this requires money and its convenient transportation; a national bank is an appropriate instrument to accomplish this, and therefore the nation's congress has, although not the express, yet the *implied* power to charter a bank. This was the beginning of the "usurpation of the rights of the states" and of "the dangerous tendency toward centralization."

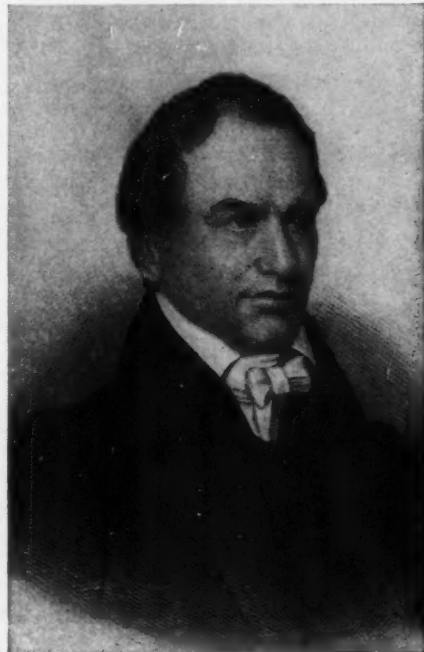
ALWAYS THE CRY OF CENTRALIZATION

Still another illustration of this "dangerous extension of federal power." When Madison was president, congress passed a bill to construct national roads and canals, improve water courses and *make internal improvements*. The people needed land and water highways to communicate among themselves and to transport their products all over the country, and under the state's rights theory they could not have these things, because if one state built them and another state did not, the roads and canals which any state built were useless except within its own limits. So the people's congress passed this act for the national roads, canals and "internal improvements."

President Madison vetoed this bill March 3, 1817, showing, with greatest possible clearness, that it was a "dangerous assertion of national power." He says that "seeing that such a power is not expressly given by the constitution . . . and can not be deduced from any part of it except by an inadmissible latitude of construction," he vetoes the bill. All this looks grotesque to us to-day, does it not? For now every congress passes a bill carrying scores of millions of dollars for dredging and deepening rivers and harbors and for other internal improvement. Yet state's rights literally raged (it even became a political issue) against this first law for international improvements as a ruinous tendency to-

ward centralization and a flagrant usurpation of the rights of the state. Thus does time and the necessities of the American people answer the word-logic of verbal theorists.

A striking example of the "dangerous tendency toward centralization" and "usurpation of the rights of the states": Certain moral hyenas were sending obscene literature through the mails. They were poisoning the character of boys and girls who soon would be citizens. "The interests of the nation" demanded that it should be stopped. Some states passed laws to stop it; but those laws operated only within the state. Other



ROBERT YOUNG HAYNE

"The doctrine that the federal government is the exclusive judge of the extent, as well as the limitations of its powers seemed to Hayne utterly subversive of the sovereignty and independence of the states."

states did not pass such laws. And if all the states passed good laws except one, still, through the channels of interstate commerce as well as through the postal

service, these books and pamphlets could be sent elsewhere throughout the country; and no state could pass any law that would prevent it.

The constitution gives congress no express power to stop this ruinous commerce. On the contrary, the constitution expressly guarantees "freedom of speech"; and, of course, books, pamphlets, articles and anything printed is "speech" just as much as words actually uttered by the mouth are "speech." Nevertheless, the power of the nation had to be exercised. So congress exercised it by excluding obscene literature from the mails. State's rights resisted this law as a "dangerous extension of national power." The same old arguments that we hear to-day were made then about the "peril of centralization," etc. Publishers carried the case to the supreme court of the United States.

But the supreme court held that this power of the nation might be properly *implied* from the provisions of the constitution giving congress the power "to establish postoffices and post roads." Of course, excluding anything from the mails is not "establishing postoffices and post roads"—but that was the supreme court's method of asserting nationality.

INTERSTATE COMMERCE

But this evil business continued through express companies and railroads. *They* could not be reached by the "postoffices and post roads" clause of the constitution. But congress exercised the nation's power by *prohibiting* transportation of obscene literature in *interstate commerce*. The constitution gives congress power "to regulate commerce with foreign nations, among the several states and with the Indian tribes." State's rights said that this was not "regulating" commerce, but "*prohibiting*" commerce; that if the nation could do this it could *prohibit* commerce altogether; and various other arguments just as fool-

ish. State's rights insisted that each state had the exclusive "right" to protect the morals of its people; and that this law was an "invasion" of this "right." Nevertheless nationality asserted itself in this law, which stands to this day and will always stand.

Still another example of what this conflict between nationality and state's rights means: Everybody remembers the great Louisiana lottery. Lottery tickets were sold everywhere. Again, the states were powerless to stop it, for the same reasons that they were powerless to stop obscene literature. Again, nothing but the nation itself was strong enough to end this evil. So, the nation's congress passed a law prohibiting *interstate commerce* in lottery tickets. And state's rights again beheld the "dangerous tendency toward centralization." The lottery and express companies which profited from this infamy carried this case to the supreme court of the United States. Perhaps no other case before or since has been more determinedly fought. State's rights proved that if this power of nationality were conceded, we would soon be an empire. "If congress can do this," said they, "there is nothing that congress can not do." But the supreme court, in one of the six greatest opinions ever delivered in the whole history of jurisprudence, declared that the power of the nation was equal to the emergency. It is curious now to read in the newspapers and magazines of that day the alarm over this "dangerous tendency toward centralization."

At its last session congress passed a law putting quarantine in the hands of the nation. This had always been in the hands of the states. But a hundred years had shown that the states, acting separately, were not equal to keeping out yellow fever and other plagues. For example, if yellow fever were kept out of the ports of one state and got in through the ports of another state, it attacked the people living in both states. Yellow

fever is no more conscious of state lines than you or I are conscious of state lines when we ride over them in a railroad train. Yellow fever does not stop at the boundaries of states any more than a telegraphic message does. Nothing but the power of the nation was great and broad enough to keep yellow fever and other pestilences out of the republic.

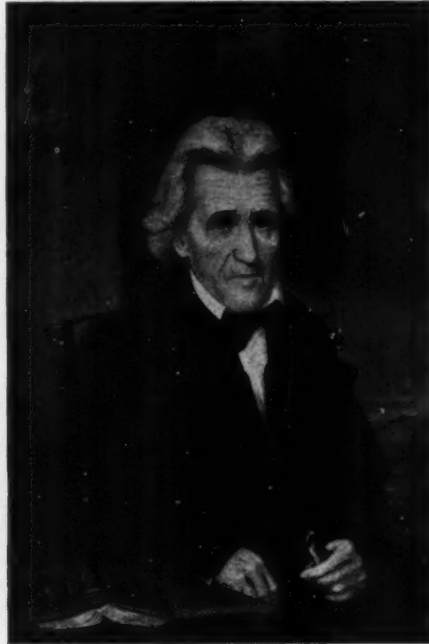
And, although this assertion of nationality was *admitted* to be a direct infringement of the "rights of the states," its passage was only feebly resisted. For no great business interests were thriving on yellow fever; nobody was financially benefited by asserting state's rights in excluding it. Again we see that the preservation of the rights of the states becomes a "sacred cause" *usually when nationality threatens unrighteous pocketbooks.*

POISON DRUGS AND THE BEEF TRUST

Manufacturers were putting poison into the food and medicine of the people. This was good for the pockets of the manufacturers, but bad for the health of the people. The people needed protection. They could not protect themselves, because they could not inspect and analyze foods and drugs. As has been the case for a hundred years in everything else, the states *did not act*—could not act, indeed, for, as in the case of lottery tickets and obscene literature,

if every state acted but one, and that one did not, prepared death in the form of food and medicine could be sent out to the millions from that single state.

It was clear that if the health of the people was to be preserved the nation must act. So the nation tried to act through the now historic law, known as the pure food bill. But it could not pass.



ANDREW JACKSON

Jackson's proclamation in answer to the nullification ordinance passed by South Carolina in 1832, declaring void certain obnoxious duties on imports, announced his intention of enforcing the Federal laws. He then ordered United States troops to Charleston and Augusta, with the result that the nullifiers submitted.

The manufacturers resisted, and time and again killed it with the sword of state's rights. They said that if food and medicine were to be inspected at all, it was the province of the states to do it. The nation had no "police power," said they—and, as yet, that is true. It was a direct, flagrant invasion by the nation of the "sacred rights of the states," said these getters of unholy wealth. It seemed that these poisoners of the American people, with the aid of state's rights, would certainly prevail.

"Great constitutional lawyers" had "serious doubts" about the "consti-

tutionality" of the proposed law. Other "great constitutional lawyers" were "profoundly convinced" that the nation had no such power as a matter of law and that the bill was a "dangerous tendency toward centralization" as a matter of policy.

It probably never would have passed but for the storm of wrath that swept over the republic at the revelations of the iniquity of the beef trust. Certain

writers informed the American people that the meat which the beef trust had been selling them was diseased. The disgusting details are still fresh in everybody's mind. The moment this shocking revelation came, and while the beef trust was denouncing the stories as untrue, I began the preparation of a bill, which, excepting two points, is now the law; to stop the revolting and murderous practice of selling disease to the American people in the form of meat and meat food products. Everybody remembers that President Roosevelt sent a commission to examine the packing houses and find out whether the terrible tales told of them were true; and how their report aroused to fury the anger of the nation. Up to that time my bill had not the slightest chance of passing. It never would have passed but for President Roosevelt. Our meat law is one of the scores of blessings which the American people owe, exclusively, to the president.

For, again, "great constitutional lawyers" were convinced that the bill was "unconstitutional." Again, the "sacred rights of the states" were "invaded"; for the meat law sends the nation's agents into the packing houses themselves; and heretofore it has been conceded that the inspection of packing houses, like the inspection of any other factory, is the exclusive business of the state in which the packing house is located.

But when the hurricane of anger that followed the report of the president's commission swept over the land, these "state's rights" objections suddenly ceased, and the bill was passed. To be sure, the packers still resisted the bill, but their cause became too unpopular to keep aloft the banner of the "sacred rights of the states." And so this assertion of nationality—by far the greatest in our history—was not thus longer resisted. This law will not be repealed. And the beef trust has not yet dared to question its "constitutionality." If there

is any sincerity in the present hue and cry about state's rights, why is not the meat law attacked? for it is the most daring "invasion" of the "sacred rights of the states" ever made in American history.

The storm raised by the beef trust scandal caused the passage of the pure food bill; and state's rights, though sorely wounded, made little outcry because it would have been most unpopular. You will observe that state's rights is a very politic creature and seldom becomes excited for "liberty" *except when some financial interest is endangered by the assertion of nationality.* State's rights is not often heard of, *unless financial interests are threatened;* and not even then, if the people happen to be sufficiently aroused against an evil which nationality will end.

CHILD LABOR AND OTHER EVILS

An example immediately at hand: Child slavery exists in the mining regions and in the silk mills of Pennsylvania, the cotton factories of the South, the glass works of New Jersey and West Virginia and, indeed, at numerous points throughout the whole republic. Scores of thousands of little children, from five to fourteen years of age, are compelled to work from ten to twelve hours a day to their physical, mental and moral ruin and the degeneracy of the race.

The states do not and can not stop it. The interests that thrive on child murder are so powerful in the states where it is worst that they prevent the passage of thorough laws, or, if passed, prevent their thorough execution. Nothing can end this national evil but a national law. So I introduced a bill in congress to prohibit interstate railroads from carrying the products of factories and mines that are working little children to death.

It carefully avoids technical "state's rights," for I wanted every vote of honest believers in that theory; otherwise, I

would have made it as direct as the meat bill.

Yet it is resisted upon the grounds that such a law is beyond the power of the nation; that the states have exclusive control over industries within their own borders; that the states alone are the guardians of the health and morals of their citizens—(of course citizens of a state are also citizens of the republic; but that vital fact seems to make no difference). *Precisely the same argument in the same words was made in defense of lotteries and obscene literature.* In all three cases the interests whose infamies nationality attacked, cloaking themselves with "state's rights," insisted that the nation had no power to *prohibit* interstate commerce in these things; that this was an *indirect* way of reaching an evil which the nation could not reach *directly*; and which the states alone, acting separately, have the "*right*" to deal with.

Of course congress has done this very thing, and *without question*, in numerous other cases; but in each of these cases, when congress asserted this national power *without question*, no financial interests were injured. For example, congress passed a law *prohibiting* railroads and express companies from carrying certain kinds of insects, such as the boll weevil and gypsy moth; and nobody objected—no great business interests were thriving on the boll weevil and gypsy moth.

But "state's rights" did resist, determinedly, even to the supreme court, the laws prohibiting interstate carriers from transporting obscene literature and lottery tickets. And now, behind the mask of "state's rights," the interests profiting by child labor are frantic against the proposed law prohibiting interstate commerce in the products of child labor—this, too, although state's rights is not technically touched by the bill.

It is significant that the *degree* of resistance in each of these three cases was measured exactly by the extent of finan-

cial interests involved. The resistance to the lottery ticket law was greater than the obscene literature law; and the financial interests concerned in lotteries were manifold greater than the financial interests concerned in obscene literature.

UNITED WE STAND

The determined fight against the child-labor bill is a thousandfold greater than against either the obscene literature or the lottery laws; and the financial interests profiting from child labor are a thousandfold greater than the financial interests concerned in both the lottery tickets and obscene literature. I am not drawing any conclusion from the fact that "state's rights" slumbers when no financial interests are involved and is aroused only when financial interests are involved; *I am merely stating the fact.* For a fact it is which no man can dispute.

So we see what "state's rights" and nationality respectively have stood for during a century and a quarter, and what each stands for to-day. I have given these details so that no one can accuse me of "vagueness," which is a favorite word with the "state's rights" doctrinaires. But these examples do more than that—they are themselves the unanswerable argument for nationality. They show the progress of the American people toward that national unity, by which alone the American people can realize their destiny and best secure to themselves "life, liberty and the pursuit of happiness."

We are one people, speaking one language, living in one country, under one flag. What affects one of us affects all of us. Most of the evils that develop among us are common evils, to be reached only by a common remedy. Scarcely any evil is confined exclusively to one state. It is clear that where an evil is general, states acting separately can not uniformly attack it; and it is a

fact that in the case of every general evil the states, acting separately, *never have uniformly attacked it*. The American people alone, acting in common—that is, acting as a nation—can destroy evils which affect them in common—that is, affect them as a nation. Proof of this is found in all the illustrations above and in scores of others equally strong.

So nationality means merely *the American people, acting in common* against evils which affect them in common. State's rights mean merely these same American people divided into forty-six "sovereign" groups, and therefore acting not harmoniously and in common, but separately and therefore impotently. The extent to which the American people are divided precisely measures the extent to which their power to end abuses is diminished. It is all summed up in the republic's motto, "United we stand, divided we fall."

This does not mean destruction of the states in their natural spheres of action. And their natural spheres of action are described by the phrase "local self-government." The dividing line between the legitimate development of nationality and the proper exercise of honest "state's rights" may be stated thus:

When an evil or a benefit is so widespread that it affects so much of the country as to be called national, the *nation's* power should be equal to end that evil or secure that benefit to the American people.

CHANGED CONDITIONS

When an evil or a benefit is purely local and affects none of the American people except that part of them who live in the state where the evil exists or the benefit can be applied, and nowhere else, the *state* should end that evil or secure that benefit.

The progress of nationality and the decay of "state's rights" grows out of changed conditions. The railroad, tele-

graph and telephone have bound our people into a national *unit*. None of these agencies of national solidarity existed when the republic was founded. We were then a handful of people, and this handful separated by lack of communication. But now San Francisco is much nearer New York than Pittsburg was to Boston in the old days. One can travel in luxury from Washington to Chicago in a fifth of the time that the fathers could cross the state of Pennsylvania. We can talk instantaneously from St. Louis to Philadelphia to-day. Whereas, we were only four million people in the days when state's rights was in its greatest vigor, we are now eighty millions of people, and in half a century will be two hundred millions of people—and these all woven closely together by the most perfect facilities of communication the world has ever seen.

All this creates new problems which the old theory of state's rights never contemplated, and new necessities on the part of the people which state's rights can not supply. But the people's problems must be solved, the people's necessities supplied. Each day makes it clearer that only the nation can do this. That is why the nation is doing it. If the states could do that work better, nothing could prevent them from doing it. It is because the nation is the only force equal to the daily developing needs of the people that nationality is developing, and for no other reason. In all of this there is no harm, but only the welfare of the people; for it is merely the people themselves acting in common for their common good.

After all, the purpose of these free institutions of ours is to make better people. The reason of our government is to improve human conditions and to make this country a fairer place for men and women to live in. No jugglery with mere phrases can impair this mighty truth, upon which, and upon which alone, the republic is founded.

WE WOMEN

A STORY
OF THE ETERNAL
QUESTION CONFRONTING
THE WOMAN WITH
AMBITIONS

BY
ALICE WOODS ULLMAN

Author of "Edges," "A Gingham Rose," etc.

I

"YOU seem fond of babies."
"Yes,—other women's."

Philoman Drake turned a half-amused half-shocked face toward Myla Stevens. The two had grown up in the provincial but self-esteeming intimacy of a middle-west city suburb till one day life had shoved between them, had pushed Drake off Boston-way to maintain the rest of his youth in the pursuit of law and order, had spun Myla to New York to pad a suddenly meager income and a consequently disabled social attitude, with efforts at portraiture in green wax and plaster. Drake detested New York, but loved Myla, so every year he came over to tea and proposed. He had been proposing to Myla, with geographical variations, ever since his lordly teens, and now, in the calm of his thirties, the habit had become comfortable, even cozy, and looked forward to. They were always very gentle about it and very considerate of one another's feelings. Myla's reasons for refusing Philoman had never descended to the level of personalities; they were merely ideas.

"You were always a law unto yourself, Myla," he sighed, and, readjusting his eye-glasses, he moved jerkily about the gray room, peering into the faces of green wax mothers and babies. "'Studies' you call them, do you not?" he ventured gingerly.



Illustrations
by the Author

Myla mimicked his sigh. "One must keep pace with one's best of beliefs, Phil." She drummed her fingers deftly on the arm of her chair.

"What is my enemy-the-belief this time, dear?" he smiled, bringing his eyes back to her face.

"You'll not understand, Phil. You never do. But,"—she hesitated,—"I still dare to believe in myself."

"Have I ever seemed remiss?" he began anxiously.

"Blessed, stupid old Phil!" she smiled up into his eyes. "You convict yourself. I mean that I believe in my work, my future, not my *self*. Self doesn't much matter, does it? I want success. I want to have done something. I must, Phil. Words make any belief go lame, but I do mean it all very sincerely."

"But," and Philoman spread his hands in quaint puzzlement, "why not freight the work, the future, the success and the self up to Boston? I promise to respectfully observe the 'office hours.' Really, Myla, I can't conceive of a delicate thing like a woman's 'future' being a—womanly success in all this beastly

turmoil of a detestable city, you know." He waved his hands toward the open window, and for a moment they both listened to the roar of traffic from below.

"You won't understand again, Phil, but that very roar is life and tonic to me. It is simply brute force, and a woman needs that sort of tonic, you know."

"Well," he laughed, "Boston roars in spots, too. We'd find a studio."

She shook her head. "Women who marry always end by being nothing *but* married. They invariably give up their work. They must, if they choose not to be selfish. You know that as well as I do, Phil."

"Do you honestly *like* to work?" and Philoman absorbed her eyes in search of a frank answer.

"What a question!" she sighed patiently.

"Well, if they *do* end by being 'just married,' isn't it because they really like to be?" he insisted.

"Not a bit of it," she answered. "It is because the work gets smothered out by tiresome routine and the thousand duties of domesticity. I have seen the thing happen again and again. It is spiritual suicide."

"It all sounds fine enough, Myla, but I don't believe it makes sense." Drake gazed absently into the face of a near-by wax baby. "There must be a lack of the right sort of companionship, of real sympathy, when that happens—or something," he ended vaguely.

Myla, startled by a glimpse of traces of the coming forties about the corners of his mouth, sat watching him and forgot to answer. "Phil, we must be starting. It's train-time. You must go to Lawrence Park with me for tea, you know."

"But—"

"Bother!" she laughed. "Mrs. Stoddard will be as pleased as Punch. It's a tea or something for Mrs. Harriman, the novelist. Of course I can't vouch for Mrs. Harriman. She is probably freaky

and a fright, but the place is lovely enough to submerge a dozen such. You see, I *must* go, because,"—she hesitated,—"well, because Mrs. Stoddard *is* Mrs. Stoddard, and it is just as well to *have met* people like Mrs. Harriman." Hands, color and laugh confessed a professional-social slavery.

"We do things that way in Boston sometimes, too," sympathized Drake a little sadly. "Mrs. Stoddard will not resent my coming unannounced?"

"Not if I bring you," she laughed. "We people who 'do' things get ourselves taken up, you know. The Mrs. Stoddards affect us."

A shade of annoyance crossed Drake's face. "I'll go, if you wish it, Myla," he agreed absently.

Myla turned away from the glass, where she had been pinning on her hat. "Of course you'll go." She tucked her ruffled parasol under arm and pulled on her long white silk gloves. Perhaps it was the gloves, or the readiness bubbling over her eyes; at any rate Philoman gave in. It was always a joy to go gadding somewhere with Myla once the proposing was safely over with.

They did not talk through the long tunnel. Thoughts were fixed within and eyes beyond. When they reached their station they hurried out of the train, down the sun-baked platform, and on across a glare of graveled roadway, to pause with sighs of achievement in the first dandelion-studded shadow. Gratefully they faced a reality of homes, homes among tall old trees, homes soothed and misted over with wispy draughts of holy country air.

"God bless the suburb," breathed Drake, his silk hat in his hand and a whimsical worship shining through his eye-glasses.

"Some suburbs," Myla temporized.

"Don't 'botanize,' little girl," he insisted. "The only suburb in sight is lovely, and geography has always been the greater half of destiny. My king-

dom, Myla, those old trees are nearly as fine as ours on the Commons!"

"Now, who's 'botanizing'?" she taunted, moving on a little ahead of him. She led him familiarly through the wonderful labyrinth of paths and roof-trees to Mrs. Stoddard's screen door.

"She's talkin' on the lawn out back," the maid directed crisply.

Myla half heard, nodded and started across the big cool library to halt in panic before what the open French windows revealed.

"Good heavens, Myla, what have you got me in for?" groaned Drake, peering over her shoulder. "As I live, it's a 'Mothers' Meeting'!" He looked as limp as he felt.

Upon the tree-screened sward, warm sun-spots making the color swim, was a throng of women with their summery skirts spread upon chairs and cushions till the place looked like some grotesque garden of giant exotics. From where the two stood they caught the mass in profile and were mercifully unobserved. For a dumb moment they followed the bent of the many pairs of eyes with their own. Upon a small platform, spread over with a splendid rug, stood a slender, youngish woman. She was exquisitely gowned in pink and white, and from the tip of her shoes to the top rose of her hat she breathed experience and success.

Myla's hysterical suggestion to "Run, Phil!" was nipped in the bud by Mrs. Stoddard, whose hospitable eye had found them out. "Oh,"—Mrs. Stoddard and the girl put out both hands in a pretty affectation of helplessness,—"*I* have brought—Mr. Drake! How *could* I have guessed that you'd ever do a thing like this? What shall we do with the man?"

Mrs. Stoddard's handsomely dressed shoulders moved with amusement, and as she gave her hand to Drake she scanned him skilfully. "Really, Myla, this is too delicious! It is painfully obvious that my note was no more than

half read. Well," she sighed cheerfully, "it just takes such an accident now and then to keep us from becoming too ridiculously conceited, doesn't it? Now that the wolf has gotten inside, he shall stay, and the end of the lambs be on your own head, too, Myla, dear! But Mrs. Harriman must not see you. It might spoil the fun. You shall slip out between us and we'll stop in the back row. You shall sit on a cushion—"

"And sew up a seam'?" quoted Drake with a chuckle.

She laughed for answer, and, slipping a plump hand in Myla's arm, she led the way out.

Philoman Drake crouched low on his cushion, pinching himself in flustered perplexity. That he of all men should have ascended from an unsuspecting state of mind into the very holy of holies of beauty confessing to beauty was an adventure so rich that his muddled senses gave over to little quivers. It was all an accident. Very well; conscience-free, he'd plunge like another accident and see the thing through to its bitter-sweet end. He squinted between rows of charmingly clad backs, through vistas of back-hair and garden hats, till he got a view of Mrs. Harriman. He wondered (impudently, he told himself) that so pretty a woman should have bothered herself to write books. Her voice was fascinating, too, and was playing upon the limpid-eyed women before her like a song over crystals. Then, slowly, through his intoxication and the agreeable droon of her voice, Mrs. Harriman's words came trickling.

II

"... and we ambitious women, so mysteriously driven" (Drake was all ears from the first portentous words he really heard), "struggle and struggle to evade the domestic horror, till one day the wrinkles come and frighten us, then—God sends the blessed instinct—we

turn and rush into its very arms and implore it to send us with all speed to a destruction of ecstasy!

"So many legends buzz about our distracted ears, noisy little white-faced lies about the relation of life to art. One especially picturesque tale tells us that art and poverty are invariable intimates. They do often dwell under the same roof, but the reason has nothing in the world to do with art. It is simply a weedy platitude bred of an habitual and convenient confusing of art and one means or another of making a living. When respectability finds herself face to face with need, she—especially *she*—turns sensitively to some eminently respectable means, and of course the presence of the creative element (poor, hungry phrase!) distinguishes art's aristocracy. And then, the ease of launching! No examinations to pass, no rules, no humiliating discipline, and an infinite opportunity for something to turn up! Juries? Editors? To be sure, she has heard of them, strange tales, too, but they are human, and she suspects herself of personality, of power." (Mrs. Harriman spread her hands as if to wash them of something ugly.) "Women will not, I almost think they *can* not, understand that the circumstances under which a thing is done, be they never so affecting, never so heroic, have nothing to do with the art of the thing done. Nine-tenths of the things done in poverty are just as bad as nine-tenths of the things done in ease, but it does so pamper our sentimental nerves to ignore the happy balance. We go sweetly about courting a spree with pathos, tragedy, injustice, and a lazier or more deceitful sable trio scarcely stalks. It takes the gaze of honest industry to send them, and us, about our business.

"The favorite companion-piece to the poverty platitude is the tattered theory that a woman may not marry and continue in a career of art. Very few women are talented, almost none have

genius, but nearly all are clever. Cleverness is the hour's dabbling devil. We go about our dabbling lessons so prettily, too. We wear our hair after some fascinating droop, having first corrected our Maker's negligence in leaving out the red; we dare anything in the make of our clothes; we go in for speaking our astonished minds; we go out alone in the dark and vow we like it. I have scurried from one gas-light to another with my heart pounding in my throat! We dabble in the frothy suds, with no thought for the lye in the soap, and we are rarely fortunate if it all ends in nothing worse than a cry over our spoilt hands.

"Art is, I venture to say, an expression of mental experience. One's mental experience may be no broader than one's physical life suggests. I am certain that the deepest possible experience for a woman is marriage. I have turned the question over in the glare of many colors and, I hope, without prejudice. Be a woman's adventures regular or irregular, I have not cared; I want simply to plumb the depths. But the bans take away the element of chance, of release, of retreat; they entail a submission, a submission that no spinster, no man may comprehend, a submission that only God and the woman understand. I tried spinsterhood. I believe I may even boast of having been an uncommonly searching and sensible spinster. 'Sensible!' There is the key to our mistaken mind! We are, we *must* be, hopelessly sensible! For a woman with brain enough to create is bound to have sense enough to be sensible. Art is as bad as it is good; art includes every blessed and unblessed element in the worlds of fact and fiction, and the life of a sensible woman may be no such open-minded affair!

"It is permitted us to be sure of very little in this irregular world; but one thing I do know—a woman may be earnest, honest, studious, charitable, generous, beautiful and bewitching, she is

never a wise woman till she is a mother. By hook or by crook, if she is after wisdom, she must get herself a baby. Her friends' babies will not do. Be she never so devoted they are a sweet but unavailing compromise. Take my word for it, the young woman minus experience, who prates of loving her simple life, her independence, her work, her friends' babies, is not even doing her whistling in the good old honest dark, but in a sort of fearsome moonshine she has concocted out of the crumbs of other people's lives and sauced over with a too venturesome imagination. I know how hard she works—harder than any man she knows. She prides herself very pitifully on that silly fact. She is regular, consistent, conscientious, sensible, and always tired. She is at it by the crack of day and on through all the saved candle-ends, while the talented fellow around the corner takes her beauty sleep and comes in with a comfortable yawn at the finish, famous, with his sense of humor unimpaired! Striving analytically after an unanalyzed moon, she misses the good familiar earth, while mere man, content with aiming at the ends of the earth, does now and then rise moonward. The old Scotch ballad has it:

'Oh, ye'll tak' the high-road
And I'll tak' the low-road,
And I'll be in Scotland afore ye.'

(Mrs. Harriman paused to eloquently combine a smile and a sigh.) "It all goes to make a pretty paradox of lace and iron, does it not?"

"Once upon a time, when I was ever and ever so young, I was invited to meet a distinguished woman whose book was making a great stir. She lived—this condescending star!—in a certain studio apartment, and caused me thereby to regard the place with awe. Rumor would have it that she lived there in humdrum felicity with a lawful husband

and, though she did amiably permit herself to be called a 'Misses,' though the handle did undeniably point to a husband in one stage or another of mortal decay, I never really believed in the scandal. Something irregular and deeply atoned might exist in the past tense of a star's passing—but a mere husband? Never! When I was presented the blood swam in my head, and dizzily I launched into the appreciation I had spent the night just in composing. 'How nice of you!' she murmured absently, then seriously, as I had hoped, even confidentially, she turned her eyes to mine and implored me to tell her something to kill cockroaches! She added that she didn't like putting poison about, because 'poison is always sweet, you know,' and 'the babies might get it.' Instead of responding like a human being, I put the poison of young reproach in her tea and submerged her hour in my own ambitious aims. She patted my hand and advised me to give over worrying about a big thing like literature, that always had and always would take very good care of itself, and to marry the first respectable—'not too uncomfortably respectable, my dear'—young man who asked me! I walked sadly home through the appropriate autumn twilight. I saw myself, anæmic perhaps, but very brave, fighting, with a pathetic single hand, a sordid universe, the best hope of which was veiled to all but me. The impregnable conceit of one's eighteenth year! But, when all is said and done, I am nearly sure we love that silly dead self better than any of the wiser and less sad selves we have since put away. The pretty ghost walks, too, with us all the way along, and perhaps she whispers us more persuasively than any of our misty body-guard how good, how warm, how sweet life really is!

"We women!" (She paused at the edge of the platform as if loth to leave so much beauty, and her eyes were alight with a humorous appreciation.)

"No doubt it is true that so far as great art is concerned Adam might as well have kept his rib, but as far as Adam is concerned!"—Mrs. Harriman paused for words—"Henry James has called us 'wonderful,' and with his sensitive skill has taught the word and us to breathe back and forth a new significance. Jean Paul Richter has done us to the life though in a dozen words, about 'Linette' and her cap. They run like this: 'During the kiss Linette gave the finishing stitch to the border of her cap, squinting down at it the best way she could without moving her head.'"

With a charming gesture Mrs. Harriman and her rose hat were mixed in the gay, softly applauding, if scarcely appreciative throng.

III

Philoman and Myla went back to town and to dinner together. Myla chat-

tered like mad: for almost the first time in her life she was afraid of a silence. Drake, fine of heart and very much in love, understood, pitied and loved the more. He ordered extravagantly with a vague idea of helping her to keep up the noise. They ate the crumbs, they lingered past excuse, then he said firmly that it was time to go home. At the very door of the studio Myla struck a match. It betrayed a shaking hand. Drake possessed himself of the match and the hand and found the candle, then he turned and took the girl into his arms. "You must marry me, Myla, Boston and all! What's the good of being a goose!"

"Why in the world did you never say it like that before?" she gave a great sigh, then, even as he kissed her mouth, her hand went straying out to model over a bump on a green wax baby's forehead.

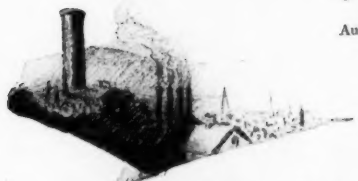
"'Linette'!" he laughed, watching the hand at its mysteriously directed work.



• THE HYDROMANIACS •

• FRANCIS LYNDE •

Author of "The Grafters," "The Quickening," etc.



IN the beginning, which was long before the listing of Southern Industrials on the stock market, Chattahoocha was an overgrown country town with a highly ornamental, and equally useless, appendage in the shape of a city charter.

In those piping times of peace and stagnation the city council met once a month in Judge Coulter's office to speculate upon the probable rise in cotton, or to pass an ordinance permitting Captain Timms, of the *Belle Marie*, to blow the boat's whistle at stated intervals two hours before sailing time.

Afterward, when the iron and industrial boom struck the town, it was Chattahoocha's misfortune that its physical growth swiftly outran its governmental. For the first few years the outlanders, outnumbering the natives ten to one, were too busy making money to know or care much about municipal politics; and when the awakening came, corporate tyranny was pretty well settled in the saddle. The country town administration, holding over from the day of small things, had parted with the city's various birthrights for the traditional mess of pottage in franchises granted to the Water Company, the Suburban Tramway, and Electric Gas and Power; and these three, with the Water Company to the fore, had made Chattahoocha as a sheep to the shearers.

It was Blantyre, late of Colorado, who first raised the insurrectionary cry in the editorial columns of the *Hot Blast*.

Blantyre was a migrant for health's sake; not for his own health, which was abnormally good, but for that of Clarissa, whose doctor had ordered a change of both altitude and latitude. With a world to choose from, Chattahoocha had won the toss; partly because the Colorado physician had approved the climate for Clarissa, and partly because one of Blantyre's classmates was a Southern iron magnate, and, incidentally, the owner of the *Hot Blast*.

Blantyre was a red-headed man, with shoulders too broad for ordinary doorways and the square jaw of a close fighter, and he had his little tilt with the Water Company before he had fairly gotten his chair warmed in the editorial room of the *Hot Blast*.

When they began housekeeping, he and Clarissa, in a rented cottage in Poplar Street, he went dutifully to pay his share of the tribute exacted by the water tyrant. To his own rate, which was high enough to make water seem more precious than it ever had in the arid West, was added a charge for an unpaid quarter incurred by the tenant who had preceded him. Naturally, Blantyre protested against paying another man's bill, and for answer he had a curt reference to the company's invariable rule, and an intimation that there would be a water famine for Number 615 Poplar Street if the charge remained unpaid.

Blantyre lost his temper, as a red-headed man will, flatly refused to be robbed, and, later, when the company sought to enforce its demand by cutting off his water supply, he stood guard over his service pipe in true Western fashion, though, to be strictly accurate, the two

negro workmen who came to do the cutting off were easily persuaded to go away.

It was with this small personal squabble for a starting point that the new editor of the *Hot Blast* began to look curiously into the methods of the monopoly, with results which ultimately led to a closet conference with his owner.

"Want to see me, Horace?" said Burton, coming down from the office of the iron company at the telephoned request.

"Yes; I wanted to ask if you have any stock in the Chattahoocha Water Company."

The iron maker laughed.

"If I had any considerable quantity of it, I'd sell out the iron business and go to Europe to splurge on my dividends. It isn't owned here, any of it. It is a Wall Street corporation, and it peddles water in a dozen Southern cities."

"A trust, eh?" said Blantyre, thoughtfully. And then: "I've been investigating it a little; it's a frightful monopoly."

"It's a peach," was Burton's comment. "Its rates are from two to four times as high as those in the worst-governed Northern city I ever knew; and its way of doing business—well, the Russian grand duke clique isn't in it with Bagby, the local manager. But you know all about these things if you've been looking it up."

"I do," was the curt reply. "And it's an object-lesson for municipal kindergartners the world over. Here is a city of forty thousand people fairly strangling in the grip of a corporation—an alien corporation at that—and nobody does anything!"

Burton shrugged.

"What would you?" he asked. "The Wall Street people are in possession, with money to burn. I suppose they have a fighting fund, and if it isn't big enough, they can increase it any minute by sweating a little more out of us. Then, again, Chattahoocha is too new, and the population is too much mixed,

to foster place-pride or even decent municipal spirit. You say the company is strangling the town: that's no figure of speech. I know of two manufacturing plants that have been driven away within a year, and of three others that have been kept from locating here—solely by the extortionate water rates."

Blantyre made a note on his desk pad, looking up afterward to say: "If you weren't such a heavy water-user yourself, Burton, I'd like to have a shy at these fellows."

"In the *Hot Blast*, you mean? Do it, if you can see any show of landing on them. But you won't feaze 'em. They own everything in sight. They can swing the primaries, the elections, or even the Legislature, if it should get that far."

The managing editor got up and walked to the window commanding a view of the Water Company's stand-pipe on Fort Wagner hill. When he came back it was to say: "Do you know, Burton, I believe I have found a loose screw in their franchise?"

"The dickens you have!" ejaculated the iron-master, tilting his chair. "Why, their own lawyers engineered the grant, away back in the time of the cotton-seed council!"

"I can't help that; the loose screw is there, just the same."

"If you are sure of your ground you might worry 'em a little on that. Go ahead, if you feel like it; I'll back you."

"You'll have to do more than that," said the editor, definitively. "Their first break will be an effort to reach me by way of my owner, and I must have an absolutely free hand."

"I'm out of it," laughed the magnate. "I'll tell every man jack of 'em they'll have to do business with you. Go in and slate 'em. I believe you'd rather fight than eat, anyway, Horace."

Blantyre's smile was reminiscently grim.

"I've had a lot of it to do since I left



STOPPING THE MANAGING EDITOR IN THE STREET TO SHAKE HANDS AND TO EGG HIM ON

New Haven," he remarked in passing: "first for a foothold among the strenuosities, and latterly to keep from losing Clarissa. I don't want to take any risk of forgetting the combination."

"That reminds me," said the iron-master. "How is the climate agreeing with Mrs. Blantyre?—or can't you tell yet?"

"She is brighter, and better, I think."

"That's good. Well, pitch into the 'octippus' when you get good and ready. I'm curious to see what will happen when you turn a hot blast into the water mains." And the owner went away laughing at his little joke.

Blantyre wrote his first editorial that forenoon; and the *Tribune*, long since subsidized by the water folk, came back at him smartly the second day following. This opened the fight; and by the end of the month the circulator's figures showed pretty plainly which way it was leaning, in the popular field, at least. For by that time the *Hot Blast's* subscription list was climbing gaily, and people were stopping the managing editor in the street to shake hands with him and to egg him on.

Blantyre cultivated the handshakers assiduously. It was his business to make friends; and besides, they told him new stories of oppression, dozens of them, so he was able to point each fresh editorial with a fresh act of tyranny. Once it was the doubling of a man's water rate because, in a time of frozen pipes, he had let his neighbor use from his kitchen hydrant. Another day it was the cancellation of a householder's contract because he had kept a borrowed horse on his premises without notifying the company. Again it was a dispute over a meter that measured, not water by the gallon, but long strings of figures in the bill. There was no lack of ammunition; and Blantyre did not allow his guns to cool for a single issue of the *Hot Blast*.

"You've got 'em sitting up and taking notice," said Burton, one morning, thrusting his head in at the editorial door on his way to the iron offices upstairs. "They have offered to cut my water rate in half for the iron plant if I'll agree to call you off."

"What did you tell them?" asked Blantyre, not without anxiety. It was a considerable bribe.

"Told 'em if they'd make it a flat reduction of fifty per cent. on every service pipe in the city, we'd think about it," was the comforting rejoinder. "But tell me, Horace; what's your ultimate notion? Shelling the woods won't fetch 'em. It's pyrotechnically beautiful, but I reckon it doesn't make Wall Street lose any sleep."

"Oh, no," said the editor. "It's only a necessary preliminary. You will see the next move in a day or two—if you'll read the paper."

The next move proved to be a newspaper call for a citizens' meeting to form a league having for its object the general promotion of the Chattahoochan welfare. Blantyre worded it thus indefinitely in the *Hot Blast*, and designated his own office as the place of meeting.

But when the hour arrived he found he had underrated both the editorial influence of the *Hot Blast*, and the unanimity of public sentiment on the water question. The newspaper rooms were much too small, and the meeting was adjourned to a neighboring fire hall. When it was finally called to order, Blantyre was promptly and unanimously put in the chair, the Civic League was organized, and the movement of protest passed at a stride into the field of politics.

The League was barely two days old when Blantyre had a call from Headrick, the local attorney for the Water Company.

"Mighty good thing, this latest move of yours, Blantyre," said the corporation's man, when the commonplaces had passed. "Will you take me in?"

Blantyre's smile was no more than editorially cynical.

"Since you have accepted your retainer from the other side, I guess you don't want in, Mr. Headrick."

Headrick shifted his cigar from one corner of his hard-bitted mouth to the other. He was a big man, with a shock

of dust-colored hair, and a face as expressive as that of the wooden Indian advertising Mackaway's tobacco stand. The ablest lawyer in Chattahoocha, some said; as he was perhaps the least scrupulous.

"Then all this preamble about the general good of the city is only so much smoke to hide the fire," he said, musingly. "I thought so." Then, tersely, and without the twitching of a muscle in the immobile face: "What's your price, Blantyre?"

It was brutally put, and, as we have remarked, the color of Blantyre's hair was against him. But he managed to keep his temper and to say, coolly, "It isn't worth while to name it to you, Headrick. You couldn't afford to pay it."

"Well, then, what is your game—when you get it to where you can call 'check'?—confiscation?"

"Oh, no; municipal ownership will do."

Headrick laughed broadly.

"Do you know what you are up against?"

"I may know more than you think I do."

"Oh, I give you full credit. For instance: I happen to know you've found the contestable point in our franchise. It's there—I don't deny it. With that for a club, you are going to ask the company to sell its plant to the city, and I don't say you couldn't force a sale. But where is your money coming from?"

The editor's eyes were half closed, and he was thinking pointedly of something else when he said, "The Chattahoocha debt is next to nothing, at present."

"Oh; and you'd issue bonds? Not before you get an enabling act through the Legislature, I reckon."

"There is an election coming, and we can make it an issue, if we choose."

The corporation counsel rose and relighted his cigar, which he had chewed to extinction.

"Much obliged for the pointer," he said, half jocularly. "We'll be with you at the primaries—and also at the polls. You've right smart to learn about Chattahoocha politics, yet, my young friend."

Blantyre was not quite at himself that day, else he would have listened more in this colloquy and talked less. But he was thinking of the morning leave-taking at home, when Clarissa had followed him into the hall to put her arms about his neck and to whisper a word of tremendous import in his ear. The dazing shock of it—whether of joy or fear, or joy and fear, no husband of the beloved can ever fully decide—was still with him when he turned his back on the Headrick incident and squared himself at the desk to write a letter to Clarissa's Aunt Polly in far-away New England.

The letter was filled with enthusiastic laudations of Chattahoocha as the most desirable of all earthly paradises for a person of Aunt Polly's temperament; but the argument lay chiefly in the last line: "Please don't say you can't come. You will know what I mean when I say Clarissa *needs* you."

There were less than three weeks between Headrick's visit and the primaries, and with the interval so short and a Civic League as yet no more than an inert mass of public indignation to be transformed into unified action, Blantyre had his hands more than full.

But a crisis raises up friends and allies hitherto unsuspected; and Burton was a host in himself. Blantyre had good help in the editorial rooms, and he flung himself manfully into the herculean task of organizing under fire. It cost a terrific struggle to get the inertia in motion and flogged into fighting form; but at the final conference with his chairmen of committees, held the night before the primaries, Blantyre expressed no more confidence than he felt.

"We shan't have majorities everywhere," he conceded; "but we shall hold the balance of power in the doubtful



A SWEET-FACED, MOTHERLY-LOOKING WOMAN

wards. If every member of the League does his duty to-morrow, we'll nominate our men."

"I dunno," said Judge Coulter, who had been a thrower of cold water from the first. "Them water fellows have got piles o' money; and money's what's goin' to talk; to-morruh, at the polls, and in the Legislatur'."

"That's so," chimed in three or four of the others; and Slocumb, the president of the United Flouring Mills, put it in concrete form: "We may as well make up our minds that we'll have every purchasable vote in the Assembly against us. Giddings'll see to that."

"Never mind," said Blantyre, hopefully. "We needn't cross that bridge till we come to it."

"Well," croaked the judge, when the meeting was on its feet for adjournment, "there's one thing we want to ricollect, gentlemen. If they down us, ez I'm right much afeard they're goin' to, we'll be buyin' our water by the pint next year."

Blantyre glanced at the office clock when the last of the chairmen had shaken hands with him. It was nine-thirty, and there was just time for him to reach the station to meet the incoming train from the North.

She was a very sweet-faced, motherly-looking woman, the one he met at the steps of the Pullman, and he kissed her dutifully. Her first question was a naturally anxious one for Clarissa, and Blantyre answered it guardedly.

"If she isn't quite as strong as she might be, she is overjoyed at the prospect of having you with her. Of course she is a bit tremulous; she can't forget what happened the other time."

"No, I sh'd think not. And the way her poor mother died is a constant threat to the dear child, too; though I'm sure it needn't be. Have you got a good doctor, Horace?"

"The best in the South. He is from the Massachusetts General Hospital—down here for his wife's health."

"Well, I'm glad he's one of our kind of folks," said Aunt Polly, who had

come prepared to contrast Chattahoocha painfully with all things Northeastern. "Will you see to getting my trunk, Horace? I'd like to have it to-night, if it isn't too late to get a cart."

It was a shock to the water-primed *Tribune*, which had been heaping ridicule upon the unwieldy Civic League, when it became evident that the no-named party of municipal reform had actually captured the primaries. This was depressive enough, but the water editor's protest rose to solfeggios of foreboding on the day after the autumn election, when it had to be conceded that the League nominees were returned by the heaviest majorities ever given in the city. "Ruin" and "municipal bankruptcy" at the hands of the "hydromaniacs" were now the only possible outcome; and he lamented, in double-leaded full-faced type, "the sounding of the financial knell of the most beautiful, and hitherto the most prosperous and progressive young city of the New South."

Blantyre did not jubilate in print; but there were handshakings and heartfelt congratulattons in the victorious ranks. And, since nothing succeeds like success, a new roll book had to be opened by the secretary of the Civic League, so numerous were the names of the eleventh-hour members.

Two weeks after the landslide election, Attorney Headrick was closeted in the directors' room of the Water Company with a small, wiry, dark-faced man from the East; a sharp-speaking gentleman with gimlet eyes whose borings were giving Headrick a most discomfoting quarter of an hour.

"You were a banner lot of idiots to try to fight this thing alone, Mr. Headrick," said the rasping voice which was abetting the gimlet eyes. "Why didn't you let us know?"

Headrick's answer was little better than a schoolboy's excuse.

"Why, really, Mr. Giddings, it didn't seem worth while. What can they do in

the Legislature, with their two lonesome members from this district?"

The little man's eyes snapped viciously.

"Headrick, you're a bigger lot of asses down here than I thought you were, Bagby included. Don't you see that the members from all the other towns where we have water plants will go to the capital instructed to stand by the Chattahoocha movement? *Damn!*"

The corporation attorney shifted uneasily in his chair. The fact that he was himself a bully by birth and training did not make the cut of the general manager's whip any less painful.

"Well, money hasn't quit talking yet, I reckon," was the only thing he could find to offer in assuagement.

The general manager rose and took a nervous turn up and down the room with his hands behind him. When he faced Headrick again the questions came bolt-like.

"Can these two Assemblymen be influenced?"

"They've both given written pledges. But they are politicians, and—well, I reckon it might be done."

"Don't say 'reckon'! What are you here for if you can't say yes or no?"

"Well, then, yes."

"Will they stay bought?"

Headrick thrust his hands deep into his pockets and took the plunge that he had been dreading.

"That will depend entirely upon one man, Mr. Giddings. If Blantyre puts his neck into the collar hard enough, I believe he is strong enough to make Higgins and Slicer go back on you after they have taken your good money."

"Who and what is Blantyre?"

"Oh, my gosh!" said the attorney, affecting a surprise which he was far from feeling. "Hasn't Bagby been keeping you posted? Why, Blantyre's It—the

head and front of the whole thing. He is the *Hot Blast* man who is responsible for this shindy from start to finish."

"Oho! Now you've come to the kernel of the nut. Why didn't you tell me this before? Let's figure on this editor a little. Suppose we can control these two Assemblymen of his; they go to the capital and do nothing; and as long as they don't start the hue and cry, nobody else



Gerrit A. Beneker - '06

SHE PUT HER ARMS ABOUT HIM AND BEGGED HIM TO STAY

will. What does Blantyre do in that case?"

"I know what I'd do, if I were in his place and had his following in this town: I'd take such a delegation of Chattahoocha business men and property owners over to the capital as would make Higgins and Slicer think something was going to drop and drop hard."

"Precisely; and this is doubtless the very move Mr. Blantyre has in mind.

He is the key to the situation; the leader without whom the entire movement would go to pieces. He must be won over."

The lawyer shook his head.

"I tried that, early in the game. You can't touch him with a ten-foot pole."

"Very well, then; he must have his hands tied. Meet me here to-night at eight o'clock, and be prepared to tell me Mr. Blantyre's history, down to the minutest and most uninteresting detail. That's all for the present. Send me up a stenographer as you go through the office."

It was a little past three o'clock in the afternoon of this same day when Judge Coulter lounged into Blantyre's sanctum with a funereal droop to his heavy double chin.

"Hit's jest erbout as I've been allowin', all along, Mistuh Blantyre," he began, with a disheartened I-told-you-so in his tone. "Higgins and Slicer—"

"Well, what about them?"

"They both et dinner at the Buckin'-ham with Giddings, the general manager of the Water Company, and they've been shut up with him in his private office the whole endurin' afte'noon!"

"What of it?" said Blantyre, impatiently. His work for the afternoon was done, and he was anxious to go home to Clarissa.

"Why, I reckon he's a-figurin' to buy 'em out, lock, stock and bar'l, ain't he?"

"I shouldn't wonder. But we'll fix that when the time comes."

The judge tilted his soft hat and shook his big head mournfully.

"It hu'ts me, Mistuh Blantyre; hit shorely do—this here cock-sure confidence o' your'n. I've knowed this town for goin' on sixty year, and these fellows are jest goin' to massaker you sure-enough befo' they get done. Now you ricollect, and don't say I didn't give you fair warnin'." And again Blantyre had to shake that limp, fat hand of discouragement.

The adjourned conference of two in the directors' room of the Water Company was resumed that evening, with Mr. Parker Headrick, company's attorney, once more under the fire of the rasping voice and the gimlet eyes.

"Well?" said the general manager.

"I've done my best," rejoined Headrick, sullenly. "Before he came here, he lived in Massachusetts, and then in Colorado. It's a clean sheet; there is absolutely nothing against him."

"Do you mean to tell me, Mr. Headrick, that there is a man living who hasn't got something to fear?" was the sharp demand.

"If the wires tell the truth, *he* hasn't," said the lawyer. "Outside of his newspaper business, in which his record is as straight as a string, he is wrapped up in his wife and his home life."

"H'm," said the general manager, thoughtfully. "Married, is he? Tell me about his wife."

"There is nothing to tell, except that she is a mighty pretty little woman, and isn't very well."

"What's the matter with her?"

Headrick seemed loth to answer. He was not all brute.

"Nothing out of the usual," he replied, rather shamefacedly. "But Blantyre's a good bit anxious, I judge, from the way he takes care of her. They've lost one, and came mighty near losing the mother, so I hear."

The chief whipper-in for the allied water companies rested his chin in his hand and the small eyes dwindled to pin-points.

"In bad health and probably nervous," he mused. "He'd do pretty nearly anything to save her a shock, just now. Headrick, there's our chance."

The Southerner jumped from his chair with an oath in his mouth.

"No, by the Almighty!" he swore. "When it comes to making war on women, I'm not in it!"

"Sit down and keep cool," said the

general manager, in the same low tone. "You misunderstand me. We need not go beyond the man. Suppose we had a nip on Blantyre that would send him to jail and give Prader, of the *Tribune*, a chance to come out with scare headlines. Wouldn't Blantyre—"

"You can't get the nip," objected Headrick.

"But I've got it," asserted the other dryly. "While you were keeping the wires warm on the out-of-town search, I did a little rummaging on my own account down-stairs. When Blantyre first came here, he had a difference with Bagby about his house water rent, and later drove two of our employes off the premises with threats of violence."

Headrick was looking into vacancy.

"Supposing he calls your bluff—what then?"

"Then he'll have to go to jail; for one night at least."

"Yes; and that takes it right back to where I don't follow you," said the attorney, sourly. "You jail him, and before he can explain, the little woman goes crazy because he don't come home, sees the *Tribune* in the morning, and there you are."

But the general manager closed the discussion and the conference with a single sentence.

"Don't you borrow any trouble. Under the circumstances, he won't call the bluff."

The Indian summer had held on longer than usual, but when it let go, the tail end of a northern blizzard ushered in the winter, filling the air with snow and howling dismally through the Chatahoocha streets in a way to make newcomers speak disrespectfully of the "sunny South." On the night of the blizzard, Blantyre had just risen from the dinner-table when the house telephone rang.

"I'm sorry, Clare, but I've got to go down-town again," he said, when he had answered the call. Then he asked her to get his heavy overcoat.

Clarissa got the coat and helped him on with it in the hall. But at the moment of leave-taking she put her arms about him and begged him to stay. "It's childishly silly, I know, dear; but—but I feel just as if something were going to happen to you," she said.

He comforted her with a caress and a promise to be back early, and was presently out in the night, battling his way through the snow-laden gusts at the deserted street corners, and wondering why the executive committee of the Civic League had called a meeting of its members at the office of the Water Company. Was the visiting general manager going to offer fair rates and decent treatment in future in return for a quashing of the public indictment? Blantyre set his teeth on a resolve to fight to the last ditch. There should be no weak compromise if he could prevent it.

The transoms on the second floor of the company's building were all dark save one; that over the entrance to the directors' room. Blantyre opened the door and stepped into the brightly-lighted room. Its occupants were Headrick, a little man with remorseless eyes, and two policemen. At a sign from Headrick, the two officers slipped into the corridor behind Blantyre and closed the door softly after them.

"Mr. Blantyre, of the *Hot Blast*, I believe?" said the man with the merciless eyes, suavely. "Draw up a chair and sit down. We were just speaking of you."

Blantyre ignored the commonplace and turned to Headrick.

"How is this?" he asked. "Where are the other members of the committee?"

Headrick scowled and said nothing; but his chief answered for him.

"It was merely a little *ruse de guerre*, Mr. Blantyre. We wished very much to have the pleasure of your company for a few minutes; and we couldn't think of any milder expedient—on such a bad night as this. Sit down, won't you?"



"I'LL KILL YOU IF I HAVE TO FOLLOW YOU TO THE ENDS OF THE EARTH!"

Blantyre dropped into a chair and felt in his pocket for a cigar. The general manager anticipated him, pushing a freshly-opened box across the table. "Try one of mine," he said, hospitably; and the editor took one mechanically.

"I infer you have got me here to talk compromise, Mr. Giddings," he began, when the cigar was drawing well. "If you have, it is a sheer waste of time—yours and mine."

The general manager smiled, waved a slim hand in deprecation, and was urbanity inpsissated.

"My dear sir! How can we decide so abruptly? As matters stand, you've gained your point—stirred up the town against us, won your election, got things in train so that you will get your bond measure through and compel us to sell. You see, I know when I'm beaten."

"Do you?" said Blantyre, without heat and also without interest.

Giddings went on smoothly. "Under the circumstances, you couldn't blame us if we felt a little vindictive; but we don't. On the contrary, we appreciate your energy and ability so highly that we'd like to have you on our side in the next fight. Mr. Headrick tells me that you have been admitted to the bar; would you consider an offer of a remunerative place on the company's legal staff?"

Blantyre's smile was wholly inscrutable.

"How much of an inducement would you offer in that case, Mr. Giddings?" he asked.

The answer was a slip of paper, passed, face down, across the table. Blantyre took it and turned it over. He was curious to know his estimated value as an antagonist. It was a certified check to his order for ten thousand dollars.

There has been a time, before he had

exchanged his clientless law office for a desk in the *Coloradoan* editorial rooms—also before he had met Clarissa—when the sight of so much money might have shaken him. He was only human, and the poverty-wise had nipped him hardily in his youthful years. But now he thanked God that he could tear the check across and across and so pass it back to the tempter.

"Assuming that this settles the question of bribery, have you anything else to say to me, Mr. Giddings? Because if you haven't, I'd like to go home."

The manager's manner changed in a flash.

"Since you won't listen to reason—yes! Something over a year ago you drew a pistol on two of our employes and threatened their lives. You drop the fight against us right where you are, or I hand this warrant to one of the officers in the corridor and you go to jail!"

Blantyre got upon his feet.

"Mr. Giddings, are you childish enough to believe that you can scare me with any such trumpery—"

"Never mind what I believe. I say you'll go to jail—to-night."

It was a moment for the saving sense of humor, and Blantyre fought down the rising wave of wrath.

"What rot!" he scoffed. "You know you couldn't get a grand jury to indict me in a thousand years!"

"Probably not; but you persistently lose sight of the principal facts, Mr. Blantyre. You'll go to jail to-night, at all events; and to-morrow morning, at all the city's breakfast-tables—at yours, perhaps, with the others—there will be the morning *Tribune* with its rather startling story."

Headrick was leaning forward in his chair, poised for a spring. He was saying to himself that if he were Blantyre he would kill the general manager. But Blantyre made no move; and when he spoke his voice was controlled and apparently passionless.

"I get your meaning at last, Mr. Giddings," he said, slowly. "You won't stick at a possible murder to make me withdraw. Will you give me a few minutes to consider it?"

"Certainly; take your own time."

The trapped one rose and walked to the other end of the long room and stood at a window looking out upon the wind-swept street. Was his honor worth more than a life?—two lives, perhaps? What would Clarissa tell him to do, if she could know?

If he could only prepare her by a single word. It was nothing: a mere arrest from which he would be released as soon as his friends could hear of it and come to the rescue. But Clarissa would not know until she saw the morning paper; and Prader would doubtless be instructed to make the most of the sensational bit of news.

At first his thought was all for his wife, tender and compassionate as a lover's. But with the flying moments a fiercer fire began to glow; the fire of hatred and loathing for the man who could thus coolly put human lives—the lives of the innocent—into the scale against a losing in the business game. The man might win, but . . .

He turned from the window and went back to front his antagonist.

"Call in your officers," he said, briefly. "I'll fight this thing to a finish. But a word for you, personally, Mr. Giddings: if any harm comes of this to those I love, I'll kill you if I have to follow you to the ends of the earth!"

The little man smiled blandly.

"Oh, I guess not, Mr. Blantyre. You are warm now, quite naturally; but a couple of hours in a cell will cool you off. You'll have that long to think it over before the *Tribune* goes to press, you know. Headrick, call the men at the door."

But now the lawyer looked up and spoke for the first time during the interview.

"They are not there," he said. "I took the liberty of telling them it was only a bluff, and they could go back to their beats when our man showed up."

Giddings sprang to his feet with a cry like that of a wild animal in a pitfall. "You did?—you white-livered cur!" he shouted; and for the space of a full minute the air crackled with his imprecations.

"Yes, I did," affirmed the attorney, when the general manager began to repeat for the lack of fresh curses. "And if you'll take the trouble to read that warrant, you'll see that it's a bluff, too. I told you if you carried the fight up to the little woman, I was out of it; and by God, I am!"

Blantyre gravely helped himself to another of the manager's cigars, and quite as gravely passed the box to Headrick.

"You are a man and a brother, Mr. Headrick," he remarked. "When you get out of this thieves' nest, come and see me. We're needing a good counsellor right now on our side."

Headrick got up and struggled into his overcoat.

"I'll go with you on the spot," he growled. "I'd stifle if I had to stay here with that"—with a jerk of his thumb toward Giddings; and they left the directors' room and the building together.

Blantyre's boy was born, and both "mother and child were doing well" when the time came for the final charge in the battle with the allied water companies.

It was in the latter part of the midwinter session of the Legislature. True to their ante-election pledges, the "hydromaniac" members of the lower house had introduced a bill authorizing the

city of Chattahoocha to issue bonds for the purchase of its water-works plant; and true to their later promise to Giddings, they had contrived to get the bill safely buried in committee.

Blantyre waited until the time was fully ripe; until the city was ablaze with the indignation of hope deferred and his mail was loaded down with agonized appeals from the rate-payers. Then he printed a call for volunteers to go to the capital. It was answered enthusiastically; and when the day came, a special train was required to transport the delegation which numbered a full half-thousand, and included the meat and marrow of the city's best.

Upon the arrival of the special at the seat of war, the two patriots in the Assembly saw their political graves yawning; could, in point of fact, hear the preliminary clods rattling down upon the coffin lids. Whereupon the bond bill miraculously came to light and life, progressed rapidly to its second and third reading, passed the House and the Senate, and became a law in spite of the stoutest opposition organized and officered by the nimble little manager of the allied water companies.

Judge Coulter was the first to congratulate Blantyre when the fighting editor came home at the head of the triumphant legion.

"I reckon ye hain't seen the *Tribune*?" he began, waving the morning paper like a flag. "Hit's flopped spang over—'Far be it from us to oppose the manifest will of the people,' and so forth. Even had a tol'able good word to say for you, too, by jing. Say, I knowed you'd down 'em, Mistuh Blantyre; I allus told you you'd jest natchelly *got* to come out on top, didn't I, now?"



THOU SHALT NOT KILL

BY BRAND WHITLOCK



THE literature on the subject of capital punishment is spare and scattered; an article in an old magazine now and then, and a little volume or two—that is all. Many learned and eminent men have opposed the infliction of the death penalty; but their opinions seem to have weighed little. Indeed, these opinions would disqualify them as jurors in murder cases.

The practice owes much of its remarkable vitality to the fact that it has long been held to be according to God's law as revealed in the Old Testament. On this ground governments for ages have based their authority to inflict the death penalty, just as they have claimed a scriptural basis for supporting other institutions, such as kingcraft, slavery, polygamy, and a host of tyrannies, cruelties and crimes. There are men and women everywhere who regard the death penalty as something holy and divine, like the sacrament of the Lord's supper, or baptism, or the marriage ceremony, and a story is told of the shipwrecked sailor who, cast upon an unknown shore, looked up and beholding a gallows, exclaimed: "Thank God, I'm in a Christian land!"

What is undoubtedly the best presentation of the scriptural argument is to be found in "A Defense of Capital Punishment," published in 1846, by the Rev. Dr. George B. Cheever, a clergyman and theologian. Dr. Cheever asserted that

God had commanded men to punish murder with death in Genesis ix, 6, "Whoso sheddeth man's blood, by man shall his blood be shed," and said that this verse was "the citadel of our argument, commanding and sweeping the whole subject." But the higher critics have discovered that this text was improperly translated; that the words "by man" do not belong there at all, and that instead of its being a command to kill, it was a mere prediction that men would kill. Some, indeed, aver that this so-called covenant with Noah refers exclusively to food, and that the verse, with those which precede it, is a prohibition of cannibalism—nothing more. The higher critics allow the verse to be equally well translated "by man *will* his blood be shed," making it merely a prophecy, as "by man *shall* his blood be shed," making it a command. So that, as the *North American Review* fifty years ago suggested, the tremendous power which governments claim rests, not only on a single verse, but on a single word, and that word equivocal in its meaning. No version of the Bible prior to the fifth century contains the words "by man," and "Scripture itself has been interpolated to suit the purpose of the state." The Septuagint and the Samaritan version omits the words "by man"; Wyclif also, and the Vulgate; Spanish, Italian and French versions omit them. Pascal and Swedenborg indorse the

omission, and Calvin calls the translation which renders the Hebrew text "by man" a "forced" construction. According, then, to these authorities and to the Catholic church to-day, this verse will read: "Whoso sheddeth man's blood, his blood will (or shall) be shed." But "shall" in such connection is not necessarily a command. "All they that take the sword shall perish with the sword," does not warrant us in killing soldiers. "Bloody and deceitful men shall not live out half their days" does not command such men to commit suicide in middle life. "Whoso diggeth a pit shall fall therein," does not order men to tumble into their own excavations. "Call this equivocal verse in Genesis a warrant from the Almighty!" exclaimed Wendell Phillips, "why, a county sheriff would not arrest a sheep-thief on so ambiguous a warrant."

Nobody obeyed this law—if it was a law—when it was first enacted—not God himself, for Cain was not put to death; Lamech, also a murderer before the flood, was spared; Moses, likewise a murderer, was not killed; and David, the worst murderer of all, was permitted to die in "a good old age, full of days, riches, and honor." Indeed, all the most notorious murderers in Jewish history—Absalom, Simeon, Levi, and the rest—did not have their "blood shed," but died in battle or in bed. It is at first difficult to imagine just why the pious doctor confined himself to the law as declared to Noah; he could have found a much more explicit law by turning to Leviticus xxiv, 21, where God said to Moses, "He that killeth a man, he shall be put to death." This is plain enough; even the higher critics could not twist this out of his hands; it is everywhere translated the same, by Catholics and Protestants alike. Why did he not abandon the covenant with Noah, and take up with the command to Moses? Simply because this would have proved too much; the doctor wasn't really such a

bloodthirsty man after all. For if he had stood on the law given to Moses he would have been compelled to assure us that not only murderers, but kidnappers, those who ate leavened bread during the Passover, those who allowed a cross ox to kill a person, witches, idolators, oppressors of widows and orphans,—of whom he may have had some in his congregation,—Sabbath-breakers, those who beat their fathers or mothers, those who ate the fat of offered beasts, or any manner of blood, those who offered children to Moloch, as is done in the factories of our land to-day, adulterers, blasphemers, and a score of other law-breakers should also be put to death. Such was the law.

But long before the higher critics began the congenial work of criticizing we had the high authority of Benjamin Franklin, Richard Hooker and John Calvin for disregarding the Pentateuch as civil law. Franklin, though considered the wisest of our great men, was not orthodox, and his opposition to capital punishment would, no doubt, impress many as but one more heresy. Calvin, opposing capital punishment, assenting to the burning of Servetus, and then indorsing "that perpetual law of love," may lose somewhat by his inconsistency; but it would seem to be sufficient to recall that Jesus expressly abrogated this old law of an eye for an eye and a life for a life, and commanded men instead to love their enemies. It is curious that people who insist that capital punishment is right because it is approved in certain translations of the Old Testament should so thoroughly disregard the words of Jesus, for they all claim to be His followers and call themselves Christians after His name. Even if the professed followers of Jesus do reject His words and instead prefer those of Moses, the words of Jesus are, nevertheless, just as authoritative as those of any one else in the Bible, even if no one but Tolstoy does take them very seriously.

There are many, however, who, while willing to concede the absurdity of the Scriptural argument, still insist that capital punishment is right because of the example. Hanging was formerly done in public, in the most conspicuous place that could be found, and a holiday was made of hanging day, so that all the people could come and profit by the example. But there was never so much crime in a community as there was immediately after hanging day. The spectacle of a sheriff and a doctor and a chaplain killing a man proved to be such a hideous and debasing sight that after it had been done all kinds of violence and crime were committed in the vicinity, so that instead of its being an example for good, it was an example for evil, an example that produced such an embruting effect on the people that public executions have long since been abolished; and in such states as Ohio and New York, which kill their murderers by the up-to-date method of electricity, the killings are done in the penitentiary, secretly, at midnight, in a room hidden away from public view. Indeed, the desire to keep the example from the people is so strong that in New York it was proposed by law to prohibit the newspapers from publishing the fact, so that the description of the killing could not reach the people and fill the minds of men and women and children with morbid impressions and vicious, perverted and criminal thoughts. If one had the temerity, one might ask, if this is a good example and if it is a holy, a divine institution, why this secrecy? In the good old days when there were in England more than a hundred offenses for which men were hanged, crime did not cease, but constantly and steadily increased, and, with so many examples, the millennium should long ago have dawned on that land. But it was found that as hanging decreased crimes decreased; parliamentary statistics showed that commitments for capital offenses from

1829 to 1835 rose from 1,705 to 2,247 in spite of the holy office of the death penalty, while in the same time, for offenses for which the death penalty had just been abolished, they fell from 4,622 to 4,292.

And statistics gathered by the *Chicago Tribune* show that the fewest murders in proportion to the population are committed in Maine, Rhode Island, Vermont, Michigan, Minnesota and Wisconsin, where capital punishment had either been totally abolished or the law so modified that the death penalty can not be inflicted except upon express recommendation of the jury, or with the express approval of the governor, or until the lapse of a year's time after final judgment.

Furthermore, the example of our secret killings is almost as bad as the example of public executions used to be, for the fact that a man's life is at stake has a tendency to drag out legal proceedings. The state can hardly admit that it is in a hurry to kill, for its theory is that it is doing not vengeance but "justice," and each court is willing and even anxious to be sustained by other courts in its fatal judgments, so that the responsibility may be distributed as widely as possible, and, that the accused may have all the rights and immunities the law guarantees him, the case goes from one court to another and then, as a last resort, it goes to pardon boards and to governors. As soon as a murderer is sent to the penitentiary for life we cease to hear of him, for, as he is usually poor, he can not go to the higher courts, but sinks at once into the oblivion of prison. But the man condemned to death excites such a desperate interest that his case is somehow reviewed in the higher courts, and, meanwhile, he lives on, and there gathers about him a peculiar morbid interest, a certain evil fascination, and every detail of his waning existence becomes important—how he sleeps, what he eats, at what hours he smokes and

takes his exercise—all these are printed and eagerly devoured. He receives visitors, he is given tracts, and people go to pray and to sing with him, usually he is "converted," and then there gushes forth the maudlinism of an emotional religion. The newspapers print the silly doggerel which he writes, and devote space to interviews with him on any subject or on no subject, and those whose false views of life are obtained from cheap fiction and cheap theaters get it into their silly heads that the man is a great hero, and the man soon gets the same idea into his own perverted brain; if his crime were revolting enough, it is dramatized, as are the historical romances it so much resembles. And thus while the original murder must have had an evil and insidious influence on the minds of all who heard of it, society can not be content with this, but must prolong this influence for a year or for several years, keeping it ever alive and fresh in men's minds, and finally, by a deed the most repellent of all, fix indelibly in their memory every one of the horrid details of the crime itself. Thus society sets loose an ever-widening stream of morbid, maudlin sentimentalism, and makes it almost impossible that the spirit of murder should ever die out of the world.

It is sometimes said that if we stop hanging it will bring about lynching; but is it not true that where there are the most hangings there also are the most lynchings? I have wondered if there can be any connection between lynching and hanging, or between burning at a stake and burning in a chair. There is a formal difference in the method, but the results are the same. One is tempted to believe that the lynchers have the better of the distinction, for they do their work in the heat of passion, and not after the long, calm deliberation of a legislature and a jury and two or three courts. Capital punishment was abolished in Egypt for fifty years during the reign of Sabacon; in Rome for two hundred

and fifty years; in Tuscany for more than twenty-five years; in Russia for twenty years of the reign of Elizabeth, and substantially during the reign of her successor, Catherine, and is inflicted now only for political crimes; Sir James Mackintosh prohibited it in India for seven years; the state of Rhode Island has done without it since 1852; Michigan since 1847; Maine since 1835; Holland since 1860; Saxony since 1868; Belgium since 1831; it has been abolished in Italy, Switzerland, Sweden, Norway, Denmark, Portugal, and elsewhere. Its abolition has not produced lynchings in those places.

I have friends who support capital punishment on the theory that it is milder than life imprisonment. That is, they wish me to think that they are kind, gentle, considerate souls who would have people killed as a favor and a benefit. I can not think, however, that they are sincere in this feeling, for if they were, they would long ago have seen to it that the law in Ohio, for instance, was changed so that it would read: "The punishment for murder in the first degree shall be imprisonment in the penitentiary for life, except where the jury recommends mercy, when it shall be death."

In the last analysis, indeed, if life imprisonment were really worse than capital punishment, then life imprisonment should be substituted for killing, for the object of the punishment is to deter others—so they say—and if fear of death deters, then fear of something worse would certainly deter more, and if life imprisonment be worse than death, then by all means let it be substituted—not because it is more cruel, but because it is a better deterrent.

Another argument that one hears occasionally is that it is necessary for society to kill murderers in order to defend itself against them. The only ground on which the law will permit a citizen to kill is that he is in imminent danger and

has no other escape; if there is any escape, the law will not justify his killing on the ground of self-defense. The individual, at the moment of attack, may use all means at hand to defend himself, but after he has escaped or been rescued, he can not, under the fiction of self-defense, destroy his assailant; especially when his assailant is disarmed and in the keeping of the police; that is the law. This doctrine should apply to the state as well as to the individuals that compose that state.

The theory of government in this country, at least, is that government is a social compact, a voluntary association of individuals. We have no kings in this country, and do not believe in the theory of the divine right of kings, although if we had a king, the theologians would promptly bring forth a scholarly argument based upon the Scriptures in support of him. Under this theory, no individual has the right to take another's life except in self-defense, and it is doubtless held by the theologians, at least, that no individual has the right to take his own life. If, then, the individual has no right to kill either another or himself, it is difficult to see how he can confer on another individual—i. e., the agent of the state—a right which he does not himself possess. That is, when you once admit the right of the state, under our theory, to kill, then you must admit—as M. Urtis, in his very able defense of capital punishment, published in Paris in 1831, conceded to his opponents—the right of individuals to commit suicide, and so our learned divines must join with the French atheists in support of their contention.

The most casual observation will convince that many states of the Union protect themselves sufficiently without killing their murderers, and that many countries of Europe do the same thing, and the state that is frightened by murderers so few in number that they form but an insignificant percentage of the

population does not deserve to stand, and it is absurd for it to take life on any such pretext. Besides, if this argument were sound, it follows that the state has the right to kill not only actual but potential murderers, and in consequence we would have to erect tribunals to try men for the purpose of determining whether they are going to murder in the future, in addition to trying them for having murdered in the past.

There are many men who readily agree that there is no soundness in the theories of divine revelation, of deterrent example, or of self-defense, but they say that murderers should be killed because they are of no use to humanity, that they are degenerates, and that the human race would be better off for killing them and getting them out of the way. They have no personal feeling in the matter; they do not wish to kill them because they are murderers, but because they are degenerates. Some of these scientific gentlemen, who treat the subject always in a strictly impersonal and professional way, are what is known as criminologists, and they have classified degenerates into groups, to each of which they assign long Latin names. They can tell, so they assure us, just what crime a man will commit by the measurements of his head (for which they have delicate instruments), or by the shape of his jaw, or by the appearance of his finger-nails, or by his lacking a beard, etc. This is impressive, and I have read some of the books they have written on the subject. But in these books they complain of their inability to classify the entire race because they are allowed to study only those specimens who are shut up in prisons and so can not help themselves. They have no opportunity to examine and classify the people outside of prisons, such as merchants, lawyers, doctors, capitalists and society people, who are not punished for crime, and consequently they can not give them any Latin names or tell what

crimes they could commit if put to it. Possibly, if these scientists had opportunity for extending their studies, they might find just as many degenerates and potential murderers outside of prisons as they find inside, and it would be dangerous to accept their theories, however plausible and fascinating, for there is no telling how many of us they might have classified and killed; no one could tell where the scientific lightning, as conducted to the electric chair, might strike.

Others are found who, in a cynical way, speaking of some murderer who has been hanged or electrized to death, say, "Oh, well, he got what he deserved." But how is one to determine what any man deserves? None could do so until he had all the facts before him, and to have all the facts it would be necessary to know the man's whole life, everything he had done, and everything that had been done to him; it would be necessary to know his capacities and his powers, his environment and his temptations, and the same things about his father and mother and about their fathers and mothers, and so on back, *ad infinitum*. It is impossible to say what any man deserves. But it is easy to see that the murdered murderer always gets more than he has given, for practically all murders are committed without warning, so that the murderer's victim is spared at least the tortures of anticipation. But when society murders it prepares its victims by long weeks of waiting, and other long weeks of trial, and still other long weeks of agony and suspense, and at last, even after it has reached its final decision, it compels him to endure still other weeks of suspense while it fattens him in the state slaughter-house before killing him. His victim, indeed, has died one death, but he has died a thousand deaths.

Some of the wise are moved to rebuke one sharply for having what they call sympathy with murderers. They say that if one has any sympathy, one should

expend it on the victim of the murder. One does have sympathy with the victim, and one has sympathy, too, for those who have been bereft of him, and yet it is difficult to see why, out of this sympathy, one should virtually commit another murder, that would only produce a new victim and bereave other families.

The conventional and conservative find it sufficient merely to shake their heads and say: "We've always had it, and so we must always have it," or else, "It would not be safe to do without it." In the debate in the House of Lords on the bill to abolish the death penalty for stealing from a dwelling-house to the amount of forty shillings, Lord Chief Justice Ellenborough declared that if the bill passed "the property of every householder in the kingdom would be left wholly without protection," but his lordship's fears have not been justified in England.

The inquirer will encounter many who will blaze out at him, "What would you do if some one were to murder your brother?" They seem to think that the inquirer's action in such an emergency would furnish the correct standard for all action; but flattering as the suggestion is, the inquirer is obliged to admit that because he should do this thing or that thing is not proof that it is the best thing to be done under the circumstances. Indeed, he might wonder and ask himself what he would do to his brother or wish to have done to him if his brother killed somebody; and if he dared, he might ask his friends, sometimes, how they would feel if *their* brother should kill, or how they would feel if they happened to kill somebody themselves.

And yet those who are unable to advance a reason for capital punishment are the most reasonable of all the supporters of the institution. They have a natural hatred for murder, and they think that the most effective way to prove this hatred is to imitate the mur-

derer, who seems to them to have been all hatred, just as men who detest the wife-beater think, or rather feel, that in no way can they demonstrate this detestation so well as by outdoing the brute in his brutality. In such minds the murderer is confused with the murder, and while people of this mind seem to be the least reasonable, the least dispassionate, the least developed of all, they are the only ones who declare the real reason why capital punishment exists.

In the fourth book of Blackstone, on page 201, are these words:

"In atrocious cases it was frequently usual for the court to direct the murderer, after execution, to be hung upon a gibbet in chains near the place where the fact was committed; and the like is still sometimes practised in the case of notorious thieves. This, being quite contrary to the express command of the Mosaic law (Deut. xxi, 23), seems to have been borrowed from the civil law; which, besides the terror of the example, gives also another reason for this practice, viz.: that it is a comfortable sight to the relations and friends of the deceased."

Livingston records a remarkable confession of it made to himself. Sir H. S. Maine says, in his "Ancient Law": "There is a time when the attempt to dispense with it (i. e., the death penalty) balks both of the two great instincts which lie at the root of all penal law. Without it the community neither feels that it is sufficiently avenged on the criminal, nor thinks that his punishment is adequate to deter others from imitating him." And in an old book describing the first state's prison opened in New York, at the foot of Tenth Street, in 1797, and used for thirty years, until the structure at Sing Sing superseded it, is an extract from the diary of Grant Thorburn, who, referring to a man who was reprieved through the efforts of the Society of Friends, wrote:

"One day I went up to the park to see

a man hung. After gazing two hours at the gallows, the sheriff announced a reprieve. I must own I was disappointed."

And so at last it is seen the infliction of the death penalty was founded on revenge. Those who originated it were honest; they found it a "comfortable sight," and were not afraid to say so.

If there were lacking proof of the statement that capital punishment, and all punishment for that matter, finds its roots in revenge, it is to be found most convincingly in the very temper of those who insist that capital punishment is right, in the tone of newspaper editorials, in the arguments of prosecutors, and in those ebullitions of public feeling that occur during murder trials. For I never knew a man to indorse capital punishment that he did not do so, in the end, vindictively and angrily, and the same primitive feeling is invariably present in newspaper editorials when they join or lead the mob that clamors at the heels of some murderer; it is always present in the bearing and the speech of the prosecutor, who invariably urges the jury in his hot closing appeal to remember the victim of the murderer and to have sympathy for that victim alone. And more than all, it is shown in the temper of the crowds that attend murder trials and in public sentiment as one finds it expressing itself about the town.

But it seems that experience has been gradually teaching men that revenge can produce nothing but revenge, and that hate but breeds more hate, and they begin to shrink from acknowledging a sentiment they were not ashamed to own in a cruder state of society. And so they have invented these new excuses, though they cling to the old practice. When one sees that all these excuses are inconsistent and hypocritical, and that nothing but a savage spirit of revenge is at the bottom of this practice, many things are explained. It becomes plain why lynching and hanging go together, and one discovers that both derive from the same

source. The spirit which produces lynching and the spirit which produces capital punishment are the same; sometimes it goes about prim and perked up, wearing a long, black coat and carrying a limp-backed Bible under its arm, and then it calls itself capital punishment, or the death penalty, or, as in New York and Ohio, electrocution, a word appropriately barbarous in its etymology. At other times it is to be seen at night with flashing eyes, wearing a mask and a slouch hat, brandishing a revolver and carrying a rope or a torch, but it is ever the same spirit, performing its sacerdotal and saving function in different disguises. It becomes clear, too, why there are cruel crimes wherever there are cruel punishments, not because the cruel crimes produce the cruel punishments, but that the same low spirit in the people of the time produces both crimes and punishments. The spirit that was in the murderer's heart is the same spirit that is in society that kills the murderer, and no good can ever come from a spirit that is but an accumulation of hatred and revenge, and so long as that spirit is kept alive in the world, just so long will there be killing in the world.

The great evil is in admitting that there are circumstances under which it is right to kill, for the moment the admission is made, then the mob or the individual thinks that if such a circumstance should present itself, it justifies killing, and there never has been a lynching in which the mob did not think that such a circumstance had arisen, and there never has been a private murder when the murderer did not think at the moment he committed his crime—whether he recognized his mistake later or not—that a circumstance had arisen when it not only was right but imperatively necessary for him to kill.

Killing is wrong, and the state pretends to believe that killing is wrong because it prohibits it by statute, but the state immediately qualifies its belief by

declaring in the very next line of its law that it is right to kill one man who has killed another. That is, the state seeks, by itself killing, to make it clear to its people that killing is wrong; it enforces its lesson by adding a second killing to the first. But this method always leaves at least one man who has killed another man—that is, the sheriff or the warden who has killed the murderer—and the question then is: What is it that robs this last man's act of the essential quality of killing? How can he put a man to death without killing him?

Some seem to think that the warden, for instance, does not really kill anybody when he puts a murderer to death, because the judge has told the warden to kill him; and when one asks if it was the judge who killed the man, they say no, the judge is a fine man, who would not harm an insect; he was told by the jury to tell the warden to kill the man, and the jury had been urged by the prosecutor to have the man killed; but the prosecutor had only said the man ought to be killed; he had nothing to do with the question of whether the man must be killed; the jury said that and washed their hands and passed the man on to the judge, who washed his hands and passed the man on to the warden, who washed his hands—literally stained with blood—and passed him on to God. And so they think no one is to blame. The responsibility has been so divided that it is impossible for any one of the officials to feel that he has killed a man or had anything to do with killing a man. And yet the man is dead, that is certain, and he has not died a natural or an accidental death, nor has he committed suicide. He has been killed, deliberately, carefully, wilfully; it was all "clean, quick and dignified," the doctor said.

To push the subject to its last analysis, one must conclude that killing is wrong, independently of any human statute. If the law forbidding murder were to be repealed to-day, it would not then be-

come right to kill, although there would be no law prohibiting it. I do not believe that if it were repealed to-day any great number of citizens would begin to kill others, because an overwhelming proportion of the people do not wish to kill and would not wish to kill, even if it were made legal for them to do so. That is to say, it is not because there is a law against killing that people do not kill.

A great outcry was made recently over hanging a woman in Vermont. Those who wished to hang her, or, rather, those who wished to force some one else to hang her (these stranglers never like to do their miserable work themselves), had a great deal to say about the equality of women before the law; they said it was maudlin sentimentalism to insist that a woman should not be hanged simply because she was a woman, and denounced the people who advanced this argument as illogical and absurd. And yet the people who advanced this argument were more logical than they themselves perhaps imagined. They were, in fact, the only ones who gave a logical and valid reason why the woman should not be hanged. The best reason why the woman should not have been hanged was simply that she was a woman, just as the best reason why a man should not be hanged is that he is a man. It is his humanity that gives him his right to live, and it is woman's humanity that gives her this right.

There is a principle that has its origin in the bosom of God, where the great mystery of life resides, which declares that it is wrong to kill; it is a principle inherent in the very nature of things, a principle that is attuned with the harmony of the universe, and this principle is boundless, infinite in its operation. Because of it, it would be wrong to kill in a wilderness or on a newly-discovered island in the sea where there was as yet no sovereignty of any kind; it is a principle that can not be escaped, a principle from which no man is exempt, and from

which no law of man can exempt him. A human law can not alter this divine law; a human law might provide that a man should suffer a punishment for killing or it might provide that he should not suffer a punishment, still it would make no difference; if he kills, he does a wrong; he violates the eternal principle. It does not make killing right because the state orders it to be done, and, consequently, when a sheriff or a warden kills a man with a rope or with an electric wire, he kills him nevertheless; he does a wrong against nature, and against his own soul, which is a part of that nature. Society, the state, the law, may absolve him from any punishment, may guarantee him immunity, may say it will take the responsibility; but society can not change the higher law. The executioner may escape man's law, and does, but he can not escape God's law, for in the end, when you steal in the depth of night down to that little corner of the death chamber where the electric chair stands under the old abandoned gallows, and strap a murderer in it, and switch on the electric current, you kill a man, and the warden who switches on the current does a murder, and the state does a murder, and you and I, as the units comprising that state and having stock in that electric chair, participate in the hideous crime, and we, too, do a murder. We may be squeamish, we may all declare that we would not switch on the current ourselves—as indeed we would not—but they are only cowards who hire another man to do a horrid deed they would not do themselves.

This inquiry, of course, opens the whole question of punishment. Blackstone said that the criminal codes of England and continental countries were crude and imperfect in comparison with their civil codes; and the late Murray F. Tuley, the learned Chicago jurist, said:

"Our whole conception of the canon of criminal law is based on a false theory—the theory that the way to pre-

vent crime is to create some terrible object to alarm the wrongdoer and to set it up before him with mouthings and denunciation. We have gone on from time immemorial, and by 'we' I mean the whole world, in the belief that by punishing crime we can prevent it. We take notice of the act and overlook entirely the causes that led to the act. * * * In all the years that I have served on the criminal bench one thought has been constantly uppermost in my mind. I have never tried a criminal case or sentenced a criminal to the penitentiary or worse, but I have felt like a giant placed there by society to take its revenge for what society itself has made."

Our criminal code, which deals with human beings, is the most neglected branch of our law. While the law student must spend years in mastering the elementary principles of the elaborate system of law relating to property, he can easily learn in less than a month all a lawyer need know about criminal law. All he need to know of principle he can read in the fourth book of Blackstone, who wrote a century ago, and then by a simple reference to the statutes and decisions of his state he can bring himself abreast of his time. Our system takes no account of inherited tendency, of the relative power of temptation and resistance, of the opportunities of the individual, his moral and intellectual training, his environment, the economic stress to which he has been subjected, or of society's responsibility; in our greed and avarice we deny children the sunlight and drive them into factories to work, we stunt their bodies and their brains, and a few years later put them to prison or to death for being what we made them. Every fall, when the first cold snap comes, we hear of the hold-up man and the purse-snatcher again; the price of oil or of beef goes up, and some one endows a new chair in a college or puts a beautiful picture of the lowly Nazarene in the stained-glass window of a

church, and at the same time, and from the same cause, some girl sticks her needle in the cushion and goes out into the streets for bread. And then, in our cruel, stupid way, we punish them and thank God that we are not as they!

I have said nothing of the thousands of innocent men who have been killed on the gallows, chiefly because innocence is a relative term; we talk glibly enough of guilt and innocence, but we do not know and can not know what they are, any more than we can know what justice is; only Omniscience that can sound the depths of the human soul can distinguish guilt from innocence or tell what justice is. One man, indeed, may murder with less guilt in the eyes of God than you or I can lie about our neighbor or refuse to stand for a principle we know is right. Punishment, indeed, is a word that has been misapplied; it is a word that has no place in the vocabulary of human government; human government may restrain and it may reform, but with punishment it can have nothing properly to do, a view in which all the writers on penal legislation concur.

It is a sad and melancholy thing, the contemplation of this spectacle of revenge, this lack of human dole and pity, this crass ignorance and superstitious fear, this primitive conception of human nature, this world-old rage for blood and vengeance, this quick reversion to the savage type. Our figure of justice, indeed, is blind, and we might better adopt the old Egyptian god of Justice, which was symbolized by an ape, at once the most solemn and the most cruel of beasts. We try to hurt, and never help; we go on wantonly wasting human life and deforming human souls, and call it Civilization! Truly, as Lowell sang:

"Yet one age longer must true culture lie
Soothing her bitter fetters as she can,
Until new messages of love outstart
At the next beating of the infinite
Heart."

THE PORT OF MISSING MEN



By Meredith Nicholson..

Author of "The House Of A Thousand Candles" Etc.

CHAPTER XX

THE FIRST RIDE TOGETHER

*My mistress bent that brow of hers;
Those deep dark eyes where pride de-
murs*

*When pity would be softening through,
Fixed me a breathing-while or two*

*With life or death in the balance:
right!*

*The blood replenished me again;
My last thought was at least not vain:
I and my mistress, side by side,
Shall be together, breathe and ride,
So, one day more am I deified.*

*Who knows but the world may end to-
night?*

—R. BROWNING.

"WE shall be leaving soon," said Armitage, half to himself and partly to Oscar. "It is not safe to wait much longer."

He tossed a copy of *Die Neue Freie Presse* on the table. Oscar had been down to the Springs to explore, and brought back news, gained from the stablemen at the hotel, that Chauvenet had gone to Washington. It was now Wednesday in the third week in April.

"Oscar, you were a clever boy and knew more than you were told. You have asked me no questions. There may be an ugly row before I get out of these

hills. I should not think hard of you if you preferred to leave."

"I enlisted for the campaign—yes?—I shall wait until I am discharged." And the little man buttoned his coat.

"Thank you, Oscar. In a few days more we shall probably be through with this business. There's another man coming to get into the game—he reached Washington yesterday—we shall doubtless hear of him shortly. Very likely they are both in the hills to-night. And, Oscar, listen carefully to what I say."

The soldier drew nearer to Armitage, who sat swinging his legs on the table in the bungalow.

"If I should die unshriven during the next week, here's a key that opens a safety-vault box at the Bronx Loan and Trust Company, in New York. In case I am disabled, go at once with the key to Baron von Marhof, Ambassador of Austria-Hungary, and tell him—tell him—"

He paused for a moment as though pondering his words with care; then he laughed and went on.

"Tell him, Oscar, that there's a message in that safety box from a gentleman who might have been King."

Oscar stared at Armitage blankly.

"That is the truth, sergeant. The mes-

sage once in the good baron's hands will undoubtedly give him a severe shock. You will do well to go to bed. I shall take a walk before I turn in."

"You should not go out alone—"

"Don't trouble about me; I shan't go far. I think we are safe until two gentlemen have met in Washington, discussed their affairs, and come down into the mountains again. The large brute we caught the other night is undoubtedly on watch near by; but he is harmless. Only a few days more and we shall perform a real service in the world, sergeant—I feel it in my bones."

He took his hat from a bench by the door and went out upon the veranda. The moon had already slipped down behind the mountains, but the stars trooped brightly across the heavens. He drank deep breaths of the cool air of the mountain night, and felt the dark wooing him with its calm and peace. He returned for his cloak and walked into the wood. He followed the road to the gate, and then turned toward the Port of Missing Men. He had formed quite definite plans of what he should do in certain emergencies, and he felt a new strength in his confidence that he should succeed in the business that had brought him to the hills.

At the abandoned bridge he threw himself down and gazed off through a narrow cut that afforded a glimpse of the Springs, where the electric lights gleamed as one lamp. Shirley Claiborne was there in the valley, and he smiled with the thought of her; for soon—perhaps in a few hours—he would be free to go to her, his work done; and no mystery or dangerous task would henceforth lie between them.

He saw march before him across the night great hosts of armed men, singing hymns of war; and again he looked upon cities besieged, still again upon armies in long alignment waiting for the word that would bring the final shock of battle. The faint roar of water far below

added an under-note of reality to his dream; and still he saw, as upon a tapestry held in his hand, the struggles of kingdoms, the rise and fall of empires. Upon the wide seas smoke floated from the guns of giant ships that strove mightily in battle. He was thrilled by drum-beats and the cry of trumpets. Then his mood changed, and the mountains and calm stars spoke an heroic language that was of newer and nobler things; and he shook his head impatiently and gathered his cloak about him and rose.

"God said, 'I am tired of kings,'" he muttered. "But I shall keep my pledge; I shall do Austria a service," he said; and then laughed a little to himself. "To think that it may be for me to say!" And with this he walked quite to the brink of the chasm and laid his hand upon the iron cable from which swung the bridge.

"I shall soon be free," he said with a deep sigh; and looked across the starlighted hills.

Then the cable under his hand vibrated slightly; at first he thought it the night wind stealing through the vale and swaying the bridge above the sheer depth. But still he felt the tingle of the iron rope in his clasp, and his hold tightened and he bent forward to listen. The whole bridge now audibly shook with the pulsation of a step—a soft, furtive step, as of one cautiously groping a way over the unsubstantial flooring. Then through the starlight he distinguished a woman's figure, and drew back. A loose plank in the bridge floor rattled, and as she passed it freed itself and he heard it strike the rocks faintly far below; but the figure stole swiftly on, and he bent forward with a cry of warning on his lips, and snatched away the light barricade that had been nailed across the opening.

When he looked up his words of rebuke, that had waited only for the woman's security, died on his lips.

"Shirley!" he cried; and put forth both hands and lifted her to firm ground.

A little sigh of relief broke from her. The bridge still swayed from her weight; and the cables hummed like the wires of a harp; near at hand the waterfall tumbled down through the mystical starlight.

"I did not know that dreams really came true," he said, with an awe in his voice that the passing fear had left behind.

She began abruptly, not heeding his words.

"You must go away—at once—I came to tell you that you can not stay here."

"But it is unfair to accept any warning from you! You are too generous, too kind—" he began.

"It is not generosity or kindness, but this danger that follows you—it is an evil thing and it must not find you here. It is impossible that such a thing can be in America. But you must go—you must seek the law's aid—"

"How do you know I dare—"

"I don't know—that you dare!"

"I know that you have a great heart and that I love you," he said.

She turned quickly toward the bridge as though to retrace her steps.

"I can't be paid for a slight, a very slight service by fair words, Mr. Armitage. If you knew why I came—"

"If I dared think or believe or hope—"

"You will dare nothing of the kind, Mr. Armitage!" she replied; "but I will tell you, that I came out of ordinary Christian humanity. The idea of friends, of even slight acquaintances, being assassinated in these Virginia hills does not please me."

"How do you classify me, please—with friends or acquaintances?"

He laughed.

"I am John Armitage. That is all you know, and yet you hazard your life to warn me that I am in danger?"

"If you called yourself John Smith I

should do exactly the same thing. It makes not the slightest difference to me who or what you are."

"You are explicit!" he laughed. "I don't hesitate to tell you that I value your life much higher than you do."

"That is quite unnecessary. It may amuse you to know that, as I am a person of little curiosity, I am not the least concerned in the solution of—of—what might be called the Armitage riddle."

"Oh; I'm a riddle, am I?"

"Not to me, I assure you! You are only the object of some one's enmity, and there's something about murder that is—that isn't exactly nice! It's positively unesthetic."

She had begun seriously, but laughed at the absurdity of her last words.

"You are amazingly impersonal. You would save a man's life without caring in the least what manner of man he may be."

"You put it rather flatly, but that's about the truth of the matter. Do you know, I am almost afraid—"

"Not of me, I hope—"

"Certainly not. But it has occurred to me that you may have the conceit of your own mystery; that you may take rather too much pleasure in mystifying people as to your identity."

"That is unkind,—that is unkind," and he spoke without resentment, but softly, with a falling cadence. He suddenly threw down the hat he had held in his hand, and extended his arms toward her.

"You are not unkind or unjust. You have a right to know who I am and what I am doing here. It seems an impertinence to thrust my affairs upon you; but if you will listen I should like to tell you—it will take but a moment—why and what—"

"Please do not! As I told you, I have no curiosity in the matter. I can't allow you to tell me; I really don't want to know!"

"I am willing that every one should

know—to-morrow—or the day after—not later."

She lifted her head, as though with the earnestness of some new thought.

"The day after may be too late. Whatever it is that you have done—"

"I have done nothing to be ashamed of,—I swear I have not!"

"Whatever it is,—and I don't care what it is,"—she said deliberately, "it is something quite serious, Mr. Armitage. My brother—"

She hesitated for a moment, then spoke rapidly.

"My brother has been detailed to help in the search for you. He is at Storm Springs now."

"But *he* doesn't understand—"

"My brother is a soldier, and it is not necessary for him to understand."

"And you have done this—you have come to warn me—"

"It does look pretty bad," she said, changing her tone and laughing a little. "But my brother and I—we always had very different ideas about you, Mr. Armitage. We hold briefs for different sides of the case."

"Oh, I'm a case, am I?" and he caught gladly at the suggestion of lightness in her tone. "But I'd really like to know what he has to do with my affairs."

"Then you will have to ask him."

"To be sure. But the government can hardly have assigned Captain Claiborne to special duty at Monsieur Chauvenet's request. I swear to you that I'm as much in the dark as you are."

"I'm quite sure an officer of the line would not be taken from his duties and sent into the country on any frivolous errand. But perhaps an ambassador from a great power made the request—perhaps it was Baron von Marhof."

"Good Lord!"

Armitage laughed aloud.

"I beg your pardon! I really beg your pardon! But is the ambassador looking for me?"

"I don't know, Mr. Armitage. You forget I'm only a traitor and not a spy."

"You are the noblest woman in the world," he said boldly, and his heart leaped in him, and he spoke on with a fierce haste. "You have made sacrifices for me that no woman ever made before for a man—for a man she did not know! And my life—whatever it is worth, every hour and second of it, I lay down before you, and it is yours to keep or throw away. I followed you half-way round the world, and I shall follow you again and as long as I live. And to-morrow—or the day after—I shall justify these great kindnesses—this generous confidence; but to-night I have a work to do!"

As they stood on the verge of the defile, by the bridge that swung out from the cliff like a fairy structure, they heard far and faint the whistle and low rumble of the night train south-bound from Washington; and to both of them the sound urged the very real and practical world from which for a little time they had stolen away.

"I must go back," said Shirley, and turned to the bridge and put her hand on its slight iron frame; but he seized her wrists and held them tight.

"You have risked much for me, but you shall not risk your life again in my cause. You can not venture across the bridge again."

She yielded instantly and he dropped her wrists at once.

"Please say no more. You must not make me sorry I came. I must go—I should have gone back instantly."

"But not across that spider's web. You must go by the long road. I will give you a horse and ride with you into the valley."

"It is much nearer by the bridge,—and I have my horse over there."

"We shall get the horse without trouble," he said, and she walked beside him through the moonlighted wood. As they crossed the open tract she said:



CLARENCE F. UNDERWOOD

SHIRLEY



"This is the Port of Missing Men."

"Yes; here the lost legion made its last stand. It's a pretty story; I hope some day to know more of it."

"I used to ride here on my pony when I was a little girl, and dream about the gray soldiers who would not surrender. It was as beautiful as an old ballad. I'll wait here. Fetch the horse," she said, "and hurry, please."

"If there are explanations to make," he began, looking at her gravely.

"I am not a person who makes explanations, Mr. Armitage. You may meet me at the gate."

As he ran toward the house he met Oscar, who had become alarmed at his absence and was setting forth in search of him.

"Come; saddle both the horses, Oscar," Armitage commanded.

They went together to the barn and quickly brought out the horses.

"You will stay at the house, Oscar."

"A captain does not go alone; it should be the sergeant who is sent—yes?"

"It is not an affair of war, Oscar, but quite another matter. There is a saddled horse hitched to the other side of our abandoned bridge. Get it and ride it to Judge Claborne's stables; and ask and answer no questions."

A moment later he was riding toward the gate, the led-horse following.

He flung himself down, adjusting the stirrups and gave her a hand into the saddle. They turned silently into the mountain road.

"The bridge would have been simpler, and quicker," said Shirley; "as it is, I shall be late to the ball."

"I am contrite enough; but you don't make explanations."

"No; I don't explain; and you are to come back as soon as we strike the valley. I always send gentlemen back at that point," she laughed, and rode ahead of him into the narrow road. She guided the strange horse with the ease of

long practice, skilfully testing his paces, and when they came to a stretch of smooth road sent him flying at a gallop over the trail. He had given her his own horse, a hunter of famous strain, and she at once defined and maintained a distance between them that made talk impossible.

Her short covert riding-coat, buttoned close, marked clearly in the starlight her erect figure; light wisps of loosened hair broke free under her soft felt hat, and when she turned her head the wind caught the brim and pressed it back from her face, giving a new charm to her profile.

He called after her once or twice at the start, but she did not pause or reply; and he could not know what mood possessed her; or that once in flight, in the security the horse gave her, she was for the first time afraid of him. He had declared his love for her, and had offered to break down the veil of mystery that made him a strange and perplexing figure. His affairs, whatever their nature, were now at a crisis, he had said; quite possibly she should never see him again after this ride. As she waited at the gate she had known a moment of contrition and doubt as to what she had done. It was not fair to her brother thus to give away his secret to the enemy; but as the horse flew down the rough road her blood leaped with the sense of adventure, and her pulse sang with the joy of flight. Her thoughts were free, wild things; and she exulted in the great starry vault and the cool heights over which she rode. Who was John Armitage? She did not know or care, now that she had performed for him her last service. Quite likely he would fade away on the morrow like a mountain shadow before the sun; and the song in her heart to-night was not love or anything akin to it, but only the joy of living.

Where the road grew difficult as it dipped sharply down into the valley she

suffered Armitage, perforce, to ride beside her.

"You ride wonderfully," he said.

"The horse is a joy. He's a Pendragon—I know them in the dark. He must have come from this valley somewhere. We own some of his cousins, I'm sure."

"You are quite right. He's a Virginia horse. You are incomparable—no other woman alive could have kept that pace. It's a brave woman who isn't a slave to her hairpins—I don't believe you spilled one."

She drew rein at the cross-roads.

"We part here. How shall I return Bucephalus?"

"Let me go to your own gate, please!"

"Not at all!" she said with decision.

"Then Oscar will pick him up. If you don't see him, turn the horse loose. But my thanks—and oh, so many things!"

"To-morrow—or the day after—or never!"

She laughed and put out her hand; and when he tried to detain her she spoke to the horse and flashed away toward home. He listened, marking her flight until the shadows of the valley stole sound and sight from him; then he turned back into the hills.

Near her father's estate Shirley came upon a man who saluted in the manner of a soldier.

It was Oscar, who had crossed the bridge and ridden down by the nearer road.

"It is my captain's horse—yes?" he said, as the slim, graceful animal whinnied and pawed the ground. "I found a horse at the broken bridge and took it to your stable—yes?"

A moment later Shirley walked rapidly through the garden to the veranda of her father's house, where her brother Dick paced back and forth impatiently.

"Where have you been, Shirley?"

"Walking."

"But you went for a ride—the stablemen told me."

"I believe that is true, Captain."

"And your horse was brought home half an hour ago by a strange fellow who saluted like a soldier when I spoke to him, but refused to understand my English."

"Well, they do say English isn't very well taught at West Point, Captain," she replied, pulling off her gloves. "You oughtn't to blame the polite stranger for his courtesy."

"I believe you have been up to some mischief, Shirley. If you are seeing that man Armitage—"

"Captain!"

"Bah! What are you going to do now?"

"I'm going to the ball with you as soon as I can change my gown. I suppose father and mother have gone."

"They have—for which you should be grateful!"

Captain Claiborne lighted a cigar and waited.

CHAPTER XXI

THE COMEDY OF A SHEEPFOLD

*A glance, a word—and joy or pain
Befalls; what was no more shall be.
How slight the links are in the chain
That binds us to our destiny!*

—T. B. ALDRICH.

Oscar's eye, roaming the landscape as he left Shirley Claiborne and started for the bungalow, swept the upland Claiborne acres and rested upon a moving shadow. He drew rein under a clump of wild cherry trees at the roadside and waited. Several hundred yards away lay the Claiborne sheepfold, with a broad pasture rising beyond. A shadow is not a thing to be ignored by a man trained in the niceties of scouting. Oscar, satisfying himself that substance lay behind the shadow, dismounted and tied his horse. Then he bent low over the stone wall and watched.

"It is the big fellow—yes? He is a

stealer of sheep, as I might have known."

Zmai was only a dim figure against the dark meadow, which he was slowly crossing from the side farthest from the Claiborne house. He stopped several times as though uncertain of his whereabouts, and then clambered over a stone wall that formed one side of the sheepfold, passed it and strode on toward Oscar and the road.

"It is mischief that brings him from the hills—yes?" Oscar reflected, glancing up and down the highway. Faintly—very softly through the night he heard the orchestra at the hotel, playing for the dance. The little soldier unbuttoned his coat, drew the revolver from his belt, and thrust it into his coat pocket. Zmai was drawing nearer, advancing rapidly now that he had gained his bearings. At the wall Oscar rose suddenly and greeted him in mockingly courteous tones:

"Good evening, my friend; it's a fine evening for a walk."

Zmai drew back and growled.

"Let me pass," he said in his difficult German.

"It is a long wall; there should be no difficulty in passing. This country is much freer than Servia—yes?" and Oscar's tone was pleasantly conversational.

Zmai put his hand on the wall and prepared to vault.

"A moment only, comrade. You seem to be in a hurry; it must be a business that brings you from the mountains—yes?"

"I have no time for you," snarled the Servian. "Be gone!" and he shook himself impatiently and put his hand on the wall.

"One should not be in too much haste, comrade;" and Oscar thrust Zmai back with his finger-tips.

The man yielded and ran a few steps out of the clump of trees and sought to escape there. It was clear to Oscar that Zmai was not anxious to penetrate closer to the Claiborne house, whose garden

extended quite near. He met Zmai promptly and again thrust him back.

"It is a message—yes?" asked Oscar.

"It is my affair," blurted the big fellow. "I mean no harm to you."

"It was you that tried the knife on my body. It is much quieter than shooting. You have the knife—yes?"

The little soldier whipped out his revolver.

"In which pocket is the business carried? A letter undoubtedly. They do not trust swine to carry words—Ah!"

Oscar dropped below the wall as Zmai struck at him; when he looked up a moment later the Servian was running back over the meadow toward the sheepfold. Oscar, angry at the ease with which the Servian had evaded him, leaped the wall and set off after the big fellow. He was quite sure that the man bore a written message, and equally sure that it must be of importance to his employer. He clutched his revolver tight, brought up his elbows for greater ease in running, and sped after Zmai, now a blur on the star-lighted sheep pasture.

The slope was gradual and a pretty feature of the landscape by day; but it afforded a toilsome path for runners. Zmai already realized that he had blundered in not forcing the wall; he was running uphill, with a group of sheds, another wall, and a still steeper and rougher field beyond. His bulk told against him; and behind him he heard the quick thump of Oscar's feet on the turf. The starlight grew dimmer through tracts of white scud; the surface of the pasture was rougher to the feet than it appeared to the eye. A hound in the Claiborne stable-yard bayed suddenly, and the sound echoed from the surrounding houses and drifted off toward the sheepfold. Then a noble music rose from the kennels.

Captain Claiborne, waiting for his sister on the veranda, looked toward the stables, listening.

Zmai approached the sheep-sheds rap-

idly, with still a hundred yards to traverse beyond them before he should reach the pasture wall. His rage at thus being driven by a small man for whom he had great contempt did not help his wind or stimulate the flight of his heavy legs, and he saw now that he would lessen the narrowing margin between himself and his pursuer if he swerved to the right to clear the sheds. He suddenly slackened his pace, and with a vicious tug settled his wool hat more firmly upon his small skull. He went now at a dog trot and Oscar was closing upon him rapidly; then, quite near the sheds, Zmai wheeled about and charged his pursuer headlong. At the moment he turned Oscar's revolver bit keenly into the night. Captain Claiborne, looking toward the slope, saw the flash before the hounds at the stables answered the report.

At the shot Zmai cried aloud in his curiously small voice and clapped his hands to his head.

"Stop; I want the letter!" shouted Oscar in German. The man turned slowly, as though dazed, and, with a hand still clutching his head, half-stumbled and half-ran toward the sheds, with Oscar at his heels.

Claiborne called to the negro stablemen to quiet the dogs, snatched a lantern, and ran away through the pergola to the end of the garden and thence into the pasture beyond. Meanwhile Oscar, thinking Zmai badly hurt, did not fire again, but flung himself upon the fellow's broad shoulders at the sheep-pens, and down they crashed against the door of the nearest pen. Zmai swerved and shook himself free while he fiercely cursed his foe. Oscar's hands slipped on the fellow's hot blood that ran from a long crease in the side of his head.

As they fell the pen door snapped free, and out into the starry pasture thronged the frightened sheep.

"The letter—give me the letter!" commanded Oscar, his face close to the Serbian. He did not know how badly the

man was injured, but he was anxious to complete his business and be off. Still the sheep came huddling through the broken door, across the prostrate men, and scampered away into the open. Captain Claiborne, running toward the fold with his lantern and not looking for obstacles, stumbled over their bewildered advance guard and plunged headlong into the gray fleeces. Meanwhile into the pockets of his prostrate foe went Oscar's hands with no result. Then he remembered the man's gesture in pulling the hat close upon his ears, and off came the hat and with it a blood-stained envelope. The last sheep in the pen trooped out and galloped toward its comrades.

Oscar, making off with the letter, plunged into the rear guard of the sheep, fell, stumbled to his feet, and confronted Captain Claiborne as that gentleman, in soiled evening dress, fumbled for his lantern and swore in language unbecoming an officer and a gentleman.

"Damn the sheep!" roared Claiborne. "It is sheep—yes?" and Oscar started to bolt.

"Halt!"

The authority of the tone rang familiarly in Oscar's ears. He had, after considerable tribulation, learned to stop short when an officer spoke to him, and the gentleman of the sheepfold stood straight in the starlight and spoke like an officer.

"What in the devil are you doing here, and who fired that shot?"

Oscar saluted and summoned his best English.

"It was an accident, sir."

"Why are you running and why did you fire? Understand you are a trespasser here, and I am going to turn you over to the constable."

"There was a sheep-stealer—yes? He is yonder by the pens—and we had some little fighting; but he is not dead—no?"

At that moment Claiborne's eyes caught sight of a burly figure rising and threshing about by the broken pen door.

"That is the sheep-stealer," said Oscar. "We shall catch him—yes?"

Zmai peered toward them uncertainly for a moment; then turned abruptly and ran toward the road. Oscar started to cut off his retreat, but Claiborne caught the sergeant by the shoulder and flung him back.

"One of you at a time! They can turn the hounds on the other rascal. What's that you have in your hand?"

"It's a piece of wool—"

But Claiborne snatched the paper from Oscar's hand, and commanded the man to march ahead of him to the house. So over the meadow and through the pergola they went, across the veranda and into the library. The power of army discipline was upon Oscar; if Claiborne had not been an officer he would have run for it in the garden. As it was, he was taxing his wits to find some way out of his predicament. He had not the slightest idea as to what the paper might be. He had risked his life to secure it, and now the crumpled, blood-stained paper had been taken away from him by a person whom it could not interest in any way whatever.

He blinked under Claiborne's sharp scrutiny as they faced each other in the library.

"You are the man who brought a horse back to our stable an hour ago."

"Yes, sir."

"You have been a soldier."

"In the cavalry, sir. I have my discharge at home."

"Where do you live?"

"I work as teamster in the coal mines—yes?—they are by Lamar, sir."

Claiborne studied Oscar's erect figure carefully.

"Let me see your hands," he commanded; and Oscar extended his open palms.

"You are lying; you do not work in the coal mines. Your clothes are not those of a miner; and a discharged soldier doesn't go to digging coal. Stand

where you are, and it will be the worse for you if you try to bolt."

Claiborne turned to the table with the envelope. It was not sealed, and he took out the plain sheet of note paper on which was written:

CABLEGRAM

WINKELRIED, VIENNA.

Not later than Friday.

CHAUVENET.

Claiborne read and reread these eight words; then he spoke bluntly to Oscar.

"Where did you get this?"

"From the hat of the sheep-stealer up yonder."

"Who is he and where did he get it?"

"I don't know, sir. He was of Servia, and they are an ugly race—yes?"

"What were you going to do with the paper?"

Oscar grinned.

"If I could read it—yes, I might know; but if Austria is in the paper, then it is mischief; and maybe it would be murder; who knows?"

Claiborne looked frowningly from the paper to Oscar's tranquil eyes.

"Dick!" called Shirley from the hall, and she appeared in the doorway, drawing on her gloves; but paused at seeing Oscar.

"Shirley, I caught this man in the sheepfold. Did you ever see him before?"

"Never, Dick."

"It was he that brought your horse home."

"To be sure it is! I hadn't recognized him. Thank you very much," and she smiled at Oscar.

Dick frowned fiercely and referred again to the paper.

"Where is Monsieur Chauvenet—have you any idea?"

"If he isn't at the hotel or in Washington, I'm sure I don't know. If we are going to the dance—"

"Plague the dance! I heard a shot in the sheep pasture a bit ago and ran out to find this fellow in a row with another man, who got away."

"I heard the shot and the dogs from my window. You seem to have been in a fuss, too, from the looks of your clothes;" and Shirley sat down and smoothed her gloves with provoking coolness.

Dick sent Oscar to the far end of the library with a gesture, and held up the message for Shirley to read.

"Don't touch it!" he exclaimed; and when she nodded her head in sign that she had read it, he said, speaking earnestly and rapidly:

"I suppose I have no right to hold this message; I must send the man to the hotel telegraph office with it. But where is Chauvenet? What is his business in the valley? And what is the link between Vienna and these hills?"

"Don't you know what *you* are doing here?" she asked, and Captain Claiborne flushed.

"I know what, but not *why*!" he blurted irritably.

"You know that Baron von Marhof wants to find Mr. John Armitage; but you don't know why."

"I have my orders and I'm going to find him, if it takes ten years."

Shirley nodded and clasped her fingers together. Her elbows resting on the high arms of her chair caused her cloak to flow sweepingly away from her shoulders. At the end of the room, with his back to the portières, stood Oscar, immovable. Claiborne re-examined the message, and extended it again to Shirley.

"There's no doubt of that being Chauvenet's writing, is there?"

"I think not, Dick. I have had notes from him now and then in that hand. He has taken pains to write this with unusual distinctness."

The color brightened in her cheeks suddenly as she looked toward Oscar.

The curtains behind him swayed, but so did the curtain back of her. A May-time languor had crept into the heart of April, and all the windows were open. The blurred murmurs of insects stole into the house. Oscar, half-forgotten by his captor, heard a sound in the window behind him and a hand touched him through the curtain.

Claiborne crumpled the paper in his hand impatiently.

"Shirley, you are against me! I believe you have seen Armitage here, and I want you to tell me what you know of him. It is not like you to shield a scamp of an adventurer—an unknown, questionable character. He has followed you to this valley and will involve you in his affairs without the slightest compunction, if he can. It's most infamous, outrageous, and when I find him I'm going to thrash him within an inch of his life before I turn him over to Baron von Marhof!"

Shirley laughed for the first time in their interview, and rose and placed her hands on her brother's shoulders.

"Do it, Dick! He's undoubtedly a wicked, a terribly wicked and dangerous character."

"I tell you I'll find him," he said tensely, putting up his hands to her, where they rested on his shoulders. She laughed and kissed him, and when her hands fell to her side the message was in her gloved fingers.

"I'll help you, Dick," she said, buttoning her glove.

"That's like you, Shirley."

"If you really want to find Mr. Armitage—"

"Of course I want to find him—" His voice rose to a roar.

"Then turn around; Mr. Armitage is just behind you!"

"Yes; I needed my man for other business," said Armitage, "and as you were very much occupied I made free with the rear veranda and changed places with him."

Claiborne walked slowly toward him, the anger glowing in his face.

"You are worse than I thought—eavesdropper, house-breaker!"

"Yes; I am both those things, Captain Claiborne. But I am also in a great hurry. What is it that you want with me?"

"You are a rogue, an impostor—"

"We will grant that," said Armitage quietly. "Where is your warrant for my arrest?"

"That will be forthcoming fast enough! I want you to understand that I have a personal grievance against you."

"It must wait until day after to-morrow, Captain Claiborne. I will come to you here or wherever you say on the day after to-morrow."

Armitage spoke with a deliberate sharp decision that was not the tone of a rogue or a fugitive. As he spoke he advanced until he faced Claiborne in the center of the room. Shirley still stood by the window, holding the soiled paper in her hand. She had witnessed the change of men at the end of the room; it had touched her humor; it had been a joke on her brother; but she felt that the night had brought a crisis; she could not continue to shield a man of whom she knew nothing save that he was the object of a curious enmity. Her idle prayer that her own land's commonplace sordidness might be obscured by the glamour of Old World romance came back to her; she had been in touch with an adventure that was certainly proving fruitful of diversion. The *coup de théâtre* by which Armitage had taken the place of his servant had amused her for a moment; but she was vexed and angry now that he had dared come again to the house.

"You are under arrest, Mr. Armitage; I must detain you here," said Claiborne.

"In America—in free Virginia—without legal process?" asked Armitage, laughing.

"You are a house-breaker, that is enough. Shirley, please go!"

"You were not detached from the army to find a house-breaker. But I will make your work easy for you—day after to-morrow I present myself to you wherever you say. But now—that cable message which my man found in your sheep pasture is of importance. I must trouble you to read it to me."

"No!" shouted Claiborne.

Armitage drew a step nearer.

"You must take my word for it that matters of importance, of far-reaching consequence, hang upon that message. I must know what it is."

"You certainly have magnificent cheek. I am going to take that paper to Baron von Marhof at once."

"Do so!—but I must know first! Baron von Marhof and I are on the same side in this business, but he doesn't understand it, and it is clear you don't. Give me the message!"

He spoke commandingly, his voice thrilling with earnestness, and jerked out his last words with angry impatience. At the same moment he and Claiborne stepped toward each other, with their hands clenched at their sides.

"I don't like your tone, Mr. Armitage!"

"I don't like to use that tone, Captain Claiborne."

Shirley walked quickly to the table and put down the message. Then, going to the door, she paused as though by an afterthought, and repeated quite slowly the words:

"Winkelried—Vienna—not later than Friday—Chauvenet."

"Shirley!" roared Claiborne.

John Armitage bowed to the already vacant doorway; then bounded into the hall, past Shirley, out upon the veranda and ran through the garden to the side gate, where Oscar waited.

Half an hour later Captain Claiborne, after an interview with Baron von Marhof, turned his horse toward the hills.

CHAPTER XXII

THE PRISONER AT THE BUNGALOW

*So, exultant of heart, with front toward
the bridges of battle,
Sat they the whole night long, and the
fires that they kindled were many.
E'en as the stars in her train, with the
moon as she walketh in splendor,
Blaze forth bright in the heavens on
nights when the welkin is breath-
less,
Nights when the mountain peaks, their
jutting cliffs, and the valleys,
All are disclosed to the eye, and above
them the fathomless ether
Opens to star after star, and glad is the
heart of the shepherd—
Such and so many the fires 'twixt the
ships and the streams of the Xan-
thus
Kept ablaze by the Trojans in front of
the darkening city.
Over the plain were burning a thousand
fires, and beside them
Each sat fifty men in the firelight glare;
and the horses,
Champing their fodder and barley
white, and instant for action,
Stood by the chariot-side and awaited
the glory of morning.*

—THE ILIAD; PRENTISS CUMMINGS.

"In Vienna, Friday!"

"There should be great deeds, my dear Jules," and Monsieur Durand adjusted the wick of a smoking brass lamp that hung suspended from the ceiling of a room of the inn, store and postoffice at Lamar.

"Meanwhile, this being but Wednesday, we have our work to do."

"Which is not so simple, after all, as one studies the situation. Mr. Armitage is here, quite within reach. We suspect him of being a person of distinction. He evinced unusual interest in certain documents that were once in your own hands—"

"Our own hands, if you would be accurate!"

"You are captious; but granted so, we must get them back. The gentleman is dwelling in a bungalow on the mountain side, for greater convenience in watching events and wooing the lady of his heart's desire. We employed a clumsy clown to put him out of the world; but he dies hard, and now we have got to get rid of him. But if he hasn't the papers on his clothes, then you have this pleasant scheme for kidnaping him, getting him down to your steamer at Baltimore and cruising with him until he is ready to come to terms. The American air has done much for your imagination, my dear Jules; or possibly the altitude of the hills has over-stimulated it."

"You are not the fool you look, my dear Durand. You have actually taken a pretty fair grasp of the situation."

"But the adorable young lady, the fair Mademoiselle Claiborne—what becomes of her in these transactions?"

"That is none of your affair," replied Chauvenet, frowning. "I have not finished in that matter."

"Neither, it would seem, has Mr. John Armitage! But I am quite well satisfied to leave it to you. In a few days we shall know much more than we do now. I should be happier if you were in charge in Vienna. A false step there—ugh! I hesitate to think of the wretched mess there would be."

"Trust Winkelried to do his full duty. You must not forget that the acute Stroebel now sleeps the long sleep and that many masses have already been said for the repose of his intrepid soul."

"The splendor of our undertaking is enough to draw his ghost from the grave. Ugh! By this time Zmai should have filed our cablegram at the Springs. I hope you have not misplaced your confidence in the operator there. Coming back our giant must pass Armitage's house."

"Trust him to pass it! His encounters

with Armitage have not been to his credit."

The two men were dressed in rough clothes, as for an outing, and, in spite of the habitual trifling tone of their talk, they wore a serious air. Durand's eyes danced with excitement and he twisted his mustache nervously. Chauvenet had gone to Washington to meet Durand, to get from him news of the progress of the conspiracy in Vienna, and, not least, to berate him for crossing the Atlantic. "I do not require watching, my dear Durand," he said.

"A man in love, dearest Jules, sometimes forgets;" but they had gone into the Virginia hills amicably and were quartered with the postmaster. They waited now for Zmai, whom they had sent to the Springs with a message and to get Chauvenet's mail. Armitage, they had learned, used the Lamar telegraph office, and they had decided to carry their business elsewhere.

While they waited in the bare upper room of the inn for Zmai, the big Servian tramped up the mountain side with an aching head and a heart heavy with dread. The horse he had left tied in a thicket when he plunged down through the Claiborne place had broken free and run away; so that he must now trudge back afoot to report to his masters. He had made a mess of his errands, and nearly lost his life besides. The bullet from Oscar's revolver had cut a neat furrow in his scalp, which was growing sore and stiff as it ceased bleeding. He would undoubtedly be dealt with harshly by Chauvenet and Durand, but he knew that the sooner he reported his calamities the better; so he stumbled toward Lamar, pausing at times to clasp his small head in his great hands. When he passed the wild tangle that hid Armitage's bungalow he paused and cursed the two occupants in his own dialect with a fierce, vile tongue. It was near midnight when he reached the tavern and wearily climbed the rickety stairway that

led to the room where the two conspirators waited.

Chauvenet opened the door at his approach, and they cried aloud as the great figure appeared before them and the lamp-light fell upon his dark, blood-smeared face.

"The letters!" snapped Chauvenet.

"Is the message safe?" demanded Durand.

"Lost; lost; they are lost! He nearly killed me—the little soldier—as I crossed a strange field."

Chauvenet flung open the door and bawled through the house for the innkeeper.

"Horses; saddle our two horses quick—and get another if you have to steal it!" he screamed. Then he turned into the room to curse Zmai, while Durand with a towel and water sought to ease the ache in the big fellow's head and cleanse his face.

"So that beggarly little servant did it, did he? He stole that paper I had given you, did he? What do you imagine I brought you to this country for if you are to let two stupid fools play with you as though you were a clown?"

The Servian, on his knees before Durand, suffered the torrent of abuse meekly. He was a scoundrel, hired to do murder; and his vilification by an angered employer did not greatly trouble him, particularly since he understood little of Chauvenet's rapid German.

In half an hour Chauvenet was again in a fury, learning at Lamar that the operator had gone down the road twenty miles to a dance and would not be back until morning.

The imperturbable Durand shivered in the night air and prodded Chauvenet with ironies.

"We have no time to lose. That message must go to-night. You may be sure Monsieur Armitage will not send it for us. Come, we've got to go down to Storm Springs."

They rode away in the starlight, leav-

ing the postmaster alarmed and wondering. Chauvenet and Durand were well mounted on horses that Chauvenet had sent into the hills in advance of his own coming. Zmai rode grim and silent on a clumsy plow-horse, which was the best the publican could find for him. The knife was not the only weapon he had known in Servia; he carried a potato sack across his saddle-bow. Chauvenet and Durand sent him ahead to set the pace with his inferior mount. They talked together in low tones as they followed.

"He is not so big a fool, this Armitage," remarked Durand. "He is quite deep, in fact. I wish it were he we are trying to establish on a throne, and not that pitiful scapegrace in Vienna."

"I gave him his chance down there in the valley, and he laughed at me. It is quite possible that he is not a fool; and quite certain that he is not a coward."

"Then he would not be a safe king. Our young friend in Vienna is a good deal of a fool and altogether a coward. We shall have to provide him with a spine at his coronation."

"If we fail—" began Chauvenet.

"You suggest a fruitful but unpleasant topic. If we fail we shall be fortunate if we reach the hospitable shores of the Argentine for future residence. Paris and Vienna would not know us again. If Winkelried succeeds in Vienna and we lose here, then where do we arrive?"

"We arrive quite where Mr. Armitage chooses to land us. He is a gentleman of resources; he has money; he laughs cheerfully at misadventures; he has had you watched by the shrewdest eyes in Europe—and you are considered a hard man to keep track of, my dear Durand. And not least important—he has tonight snatched away that little cablegram that was the signal to Winkelried to go ahead. He is a very annoying and vexatious person, this Armitage. Even Zmai, whose knife made him a terror in

Servia, seems utterly unable to cope with him."

"And the fair daughter of the valley—"

"Pish! We are not discussing the young lady."

"I can understand how unpleasant the subject must be to you, my dear Jules. What do you imagine *she* knows of Monsieur Armitage? If he is the man we think he is and a possible heir to a great throne, it would be impossible for her to marry him."

"His tastes are democratic. In Montana he is quite popular."

Durand laughed suddenly.

"Has it occurred to you that this whole affair is decidedly amusing? Here we are, in one of the free American states, about to turn a card that will dethrone a king, if we are lucky. And here is a man we are trying to get out of the way—a man we might make king if he were not a fool! In America! It touches my sense of humor, my dear Jules!"

An exclamation from Zmai arrested them. The Servian jerked up his horse and they were instantly at his side. They had reached a point near the hunting preserve in the main highway. It was about half-past one o'clock, an hour at which Virginia mountain roads are usually free of travelers, and they had been sending their horses along as briskly as the uneven roads and the pace of Zmai's laggard beast permitted.

The beat of a horse's hoofs could be heard quite distinctly in the road ahead of them. The road tended downward, and the strain of the ascent was marked in the approaching animal's walk; in a moment the three men heard the horse's quick snort of satisfaction as it reached leveler ground; then, scenting the other animals, it threw up its head and neighed shrilly.

In the dusk of starlight Durand saw Zmai dismount and felt the Servian's big rough hand touch his in passing the bridle of his horse.

"Wait!" said the Servian.

The horse of the unknown paused, neighed again, and refused to go farther. A man's deep voice encouraged him in low tones. The horses of Chauvenet's party danced about restlessly, responsive to the nervousness of the strange beast before them.

"Who goes there?"

The stranger's horse was quiet for an instant, and the rider had forced him so near that the beast's up-reined head and the erect shoulders of the horseman were quite clearly defined.

"Who goes there?" shouted the rider; while Chauvenet and Durand bent their eyes toward him, their hands tight on their bridles, and listened, waiting for Zmai. They heard a sudden rush of steps, the impact of his giant body as he flung himself upon the shrinking horse; and then a cry of alarm and rage. Chauvenet slipped down and ran forward with the quick, soft glide of a cat and caught the bridle of the stranger's horse. The horseman struggled in Zmai's great arms, and his beast plunged wildly. No words passed. The rider had kicked his feet out of the stirrups and gripped the horse hard with his legs. His arms were flung up to protect his head, over which Zmai tried to force the sack.

"The knife?" bawled the Servian.

"No!" answered Chauvenet.

"The devil!" yelled the rider, and dug his spurs into the rearing beast's flanks.

Chauvenet held on valiantly with both hands to the horse's head. Once the frightened beast swung him clear of the ground. A few yards distant Durand sat on his own horse and held the bridles of the others. He soothed the restless animals in low tones, the light of his cigarette shaking oddly in the dark with the movement of his lips.

The horse ceased to plunge; Zmai held its rider erect with his left arm while the right drew the sack down over the head and shoulders of the prisoner.

"Tie him," said Chauvenet; and Zmai buckled a strap about the man's arms and bound them tight.

The dust in the bag caused the man inside to cough, but save for the one exclamation he had not spoken. Chauvenet and Durand conferred in low tones while Zmai drew out a tether strap and snapped it to the curb-bit of the captive's horse.

"The fellow takes it pretty coolly," remarked Durand, lighting a fresh cigarette. "What are you going to do with him?"

"We will take him to his own place—it is near—and coax the papers out of him; then we'll find a precipice and toss him over. It is a simple matter."

Zmai handed Chauvenet the revolver he had taken from the silent man on the horse.

"I am ready," he reported.

"Go ahead; we follow;" and they started toward the bungalow, Zmai riding beside the captive and holding fast to the led-horse. Where the road was smooth they sent the horses forward at a smart trot; but the captive accepted the gait; he found the stirrups again and sat his saddle straight. He coughed now and then, but the hemp sack was sufficiently porous to give him a little air. As they rode off his silent submission caused Durand to ask:

"Are you sure of the man, my dear Jules?"

"Undoubtedly. I didn't get a square look at him, but he's a gentleman by the quality of his clothes. He is the same build; it is not a plow-horse, but a thoroughbred he's riding. The gentlemen of the valley are in their beds long ago."

"Would that we were in ours! The spring nights are cold in these hills!"

"The work is nearly done. The little soldier is yet to reckon with; but we are three; and Zmai did quite well with the potato sack."

Chauvenet rode ahead and addressed a few words to Zmai.

"The little man must be found before we finish. There must be no mistake about it."

They exercised greater caution as they drew nearer the wood that concealed the bungalow, and Chauvenet dismounted, opened the gate and set a stone against it to insure a ready egress; then they walked their horses up the driveway.

Admonished by Chauvenet, Durand threw away his half-smoked cigarette with a sigh.

"You are convinced this is the wise course, dearest Jules?"

"Be quiet and keep your eyes open. There's the house."

He halted the party, dismounted, and crept forward to the bungalow. He circled the veranda, found the blinds open, and peered into the long lounging-room, where a few embers smoldered in the broad fireplace and an oil lamp shed a faint light. One man they held captive; the other was not in sight; but Chauvenet's courage rose at the prospect of easy victory. He tried the door, found it unfastened, and with his revolver ready in his hand, threw it open. Then he walked slowly toward the table, turned the wick of the lamp high, and surveyed the room carefully. The doors of the rooms that opened from the apartment stood ajar; he followed the wall cautiously, kicked them open, peered into the room where Armitage's things were scattered about, and found his iron bed empty. Then he walked quickly to the veranda and summoned the others.

"Bring him in!" he said, without taking his eyes from the room.

A moment later Zmai had lifted the silent rider to the veranda, and flung him across the threshold. Durand, now aroused, fastened the horses to the veranda rail.

Chauvenet caught up some candles from the mantel and lighted them.

"Open the trunks in those rooms, and be quick; I will join you in a moment;" and as Durand turned into Armitage's

room, Chauvenet peered again into the other chambers, called once or twice in a low tone, then turned to Zmai and the prisoner.

"Take off the bag," he commanded.

Chauvenet studied the lines of the erect, silent figure as Zmai loosened the strap, drew off the bag, and stepped back toward the table on which he had laid his revolver for easier access.

"Mr. John Armitage—"

Chauvenet, his revolver half raised, had begun an ironical speech, but the words died on his lips. The man who stood blinking from the sudden burst of light was not John Armitage, but Captain Claiborne!

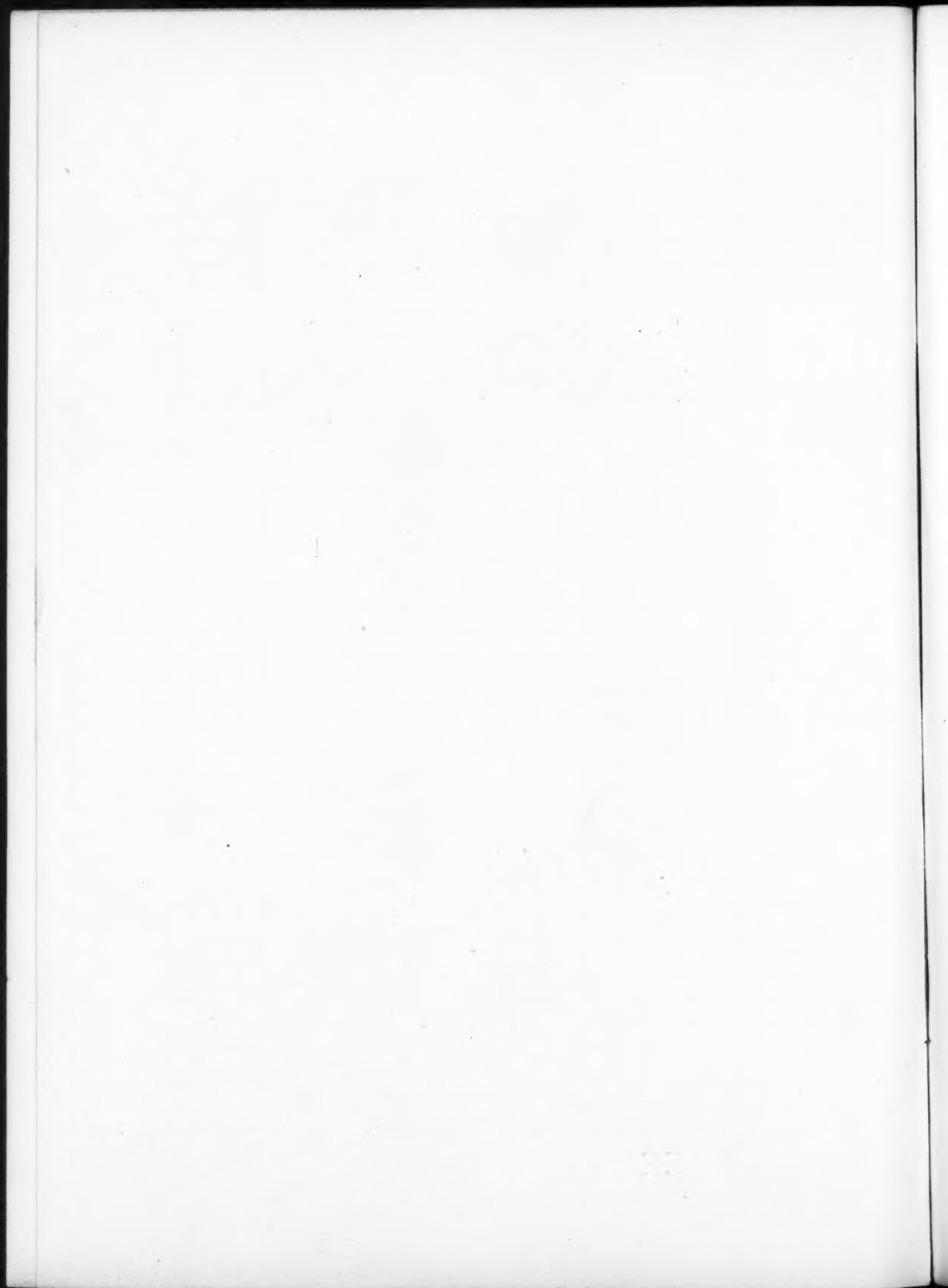
The perspiration on Claiborne's face had made a paste of the dirt from the potato sack, which gave him a weird appearance. He grinned broadly, adding a fantastic horror to his visage which caused Zmai to leap back toward the door. Then Chauvenet cried aloud, a cry of anger, which brought Durand into the hall at a jump. Claiborne shrugged his shoulders, shook the blood into his numbed arms, then turned his besmeared face toward Durand and laughed. He laughed long and loud as the stupefaction deepened on the faces of the two men.

The objects which Durand held caused Claiborne to stare, and then he laughed again. Durand had caught up from a hook in Armitage's room a black cloak, so long that it trailed at length from his arms, its red lining glowing brightly where it lay against the outer black. From the folds of the cloak a sword, plucked from a trunk, dropped upon the floor with a gleam of its bright scabbard. In his right hand he held a silver box of orders, and as his arm fell at the sight of Claiborne, the gay ribbons and gleaming pendants flashed to the floor.

"It is not Armitage; we have made a mistake!" muttered Chauvenet tamely, his eyes falling from Claiborne's face to



ARMITAGE'S EYES DANCED WITH EXCITEMENT . . . HE WAS IN A HIGH MOOD



the cloak, the sword, the tangled heap of ribbons on the floor.

Durand stepped forward with an oath.

"Who is the man?" he demanded.

"It is my friend Captain Claiborne. We owe the gentleman an apology—" Chauvenet began.

"You put it mildly," cried Claiborne in English, his back to the fireplace, his arms folded, and the smile gone from his face. "I don't know your companions, Monsieur Chauvenet, but you seem inclined to the gentle arts of kidnapping and murder. Really, Monsieur—"

"It is a mistake! It is unpardonable! I can only offer you reparation—anything you ask," stammered Chauvenet.

"You are looking for John Armitage, are you?" demanded Claiborne hotly, without heeding Chauvenet's words. "Mr. Armitage is not here; he was in Storm Springs to-night, at my house. He is a brave gentleman, and I warn you that you will injure him at your peril. You may kill me here or strangle me or stick a knife into me, if you will be better satisfied that way; or you may kill him and hide his body in these hills; but, by God, there will be no escape for you! The highest powers of my government know that I am here; Baron von Marhof knows that I am here. I have an engagement at breakfast with Baron von Marhof at his house at eight o'clock in the morning, and if I am not there every agency of the government will be put to work to find you, Mr. Jules Chauvenet, and these other scoundrels who travel with you."

"You are violent, my dear sir—" began Durand, whose wits were coming back to him much quicker than Chauvenet's.

"I am not as violent as I shall be if I get a troop of cavalry from Fort Myer down here and hunt you like rabbits through the hills. And I advise you to cable Winkelried at Vienna that the game is all off!"

Chauvenet suddenly jumped toward

the table, the revolver still swinging at arm's length.

"You know too much!"

"I don't know any more than Armitage, and Baron von Marhof and my father, and the Honorable Secretary of State, to say nothing of the equally Honorable Secretary of War."

Claiborne stretched out his arms and rested them along the shelf of the mantel, and smiled upon them with a smile which the dirt on his face weirdly accentuated. His hat was gone, his short hair rumpled; he dug the bricks of the hearth with the toe of his riding-boot as an emphasis of his contentment with the situation.

"You don't understand the gravity of our labors. The peace of a great empire is at stake in this business. We are engaged on a patriotic mission of great importance."

It was Durand who spoke. Outside, Zmai held the horses in readiness.

"You are a fine pair of patriots, I swear," said Claiborne. "What in the devil do you want with John Armitage?"

"He is a menace to a great throne—an impostor—a—"

Chauvenet's eyes swept with a swift glance the cloak, the sword, the scattered orders. Claiborne followed the man's gaze, but he looked quickly toward Durand and Chauvenet, not wishing them to see that the sight of these things puzzled him.

"Pretty trinkets! But such games as yours, these pretty baubles—are not for these free hills."

"Where is John Armitage?"

Chauvenet half raised his right arm as he spoke, and the steel of his revolver flashed.

Claiborne did not move; he smiled upon them, recrossed his legs, and settled his back more comfortably against the mantel-shelf.

"I really forget where he said he would be at this hour. He and his man

may have gone to Washington, or they may have started for Vienna, or they may be in conference with Baron von Marhof at my father's, or they may be waiting for you at the gate. The Lord only knows!"

"Come; we waste time," said Durand in French. "It is a trap. We must not be caught here!"

"Yes; you'd better go," said Claiborne, yawning and settling himself in a new pose with his back still to the fireplace. "I don't believe Armitage will care if I use his bungalow occasionally during my sojourn in the hills; and if you will be so kind as to leave my horse well tied out there somewhere, I believe I'll go to bed. I'm sorry, Mr. Chauvenet, that I can't just remember who introduced you to me and my family. I owe that person a debt of gratitude for bringing so pleasant a scoundrel to my notice."

He stepped to the table, his hands thrust deep in his pockets, and bowed to them.

"Good night, and clear out," and he waved his arm in dismissal.

"Come!" said Durand peremptorily, and as Chauvenet hesitated, Durand seized him by the arm and pulled him toward the door.

As they mounted and turned to go they saw Claiborne standing at the table, lighting a cigarette from one of the candles. He walked to the veranda and listened until he was satisfied that they had gone, then went in and closed the door. He picked up the cloak and sword and restored the insignia to the silver box. The sword he examined with professional interest, running his hand over the embossed scabbard, then drawing the bright blade and trying its balance and weight.

As he held it thus, heavy steps sounded at the rear of the house, a door was flung open, and John Armitage sprang into the room, with Oscar close at his heels.

CHAPTER XXIII

THE VERGE OF MORNING

*O to mount again where erst I haunted;
Where the old red hills are bird-en-
chanted,*

And the low green meadows

Bright with sword;

*And when even dies, the million-tinted,
And the night has come, and planets
glinted,*

Lo! the valley hollow,

Lamp-bestarr'd.

—R. L. S.

"I hope you like my things, Captain Claiborne!"

Armitage stood a little in advance, his hand on Oscar's arm to check the rush of the little man.

Claiborne sheathed the sword, placed it on the table, and folded his arms.

"Yes; they are very interesting."

"And those ribbons and that cloak—I assure you they are of excellent quality. Oscar, put a blanket on this gentleman's horse. Then make some coffee and wait."

As Oscar closed the door Armitage crossed to the table, flung down his gauntlets and hat and turned to Claiborne.

"I didn't expect this of you; I really didn't expect it. Now that you have found me, what in the devil do you want?"

"I don't know—I'll be *damned* if I know!" and Claiborne grinned, so that the grotesque lines of his soiled countenance roused Armitage's wrath.

"You'd better find out damned quick! This is my busy night, and if you can't explain yourself I'm going to tie you hand and foot and drop you down the well till I finish my work. Speak up! What are you doing on my grounds, in my house, at this hour of the night, prying into my affairs and rummaging in my trunks?"

"I didn't *come* here, Armitage; I was brought—with a potato sack over my head. There's the sack on the floor, and any of its dirt that isn't on my face must be permanently settled in my lungs."

"What are you doing up here in the mountains—why are you not at your station? The potato-sack story is pretty flimsy. Do better than that, and hurry up!"

"Armitage"—as he spoke, Claiborne walked to the table and rested his fingertips on it—"Armitage, you and I have made some mistakes during our short acquaintance. I will tell you frankly that I have blown hot and cold about you as I never did before with another man in my life. On the ship coming over and when I met you in Washington I thought well of you. Then your damned cigarette case shook my confidence in you there at the Army and Navy Club that night; and now—"

"Damn my cigarette case!" bellowed Armitage, clapping his hand to his pocket to make sure of it.

"That's what I say! But it was a disagreeable situation—you must admit that."

"It was, indeed!"

"It requires some nerve for a man to tell a story like that to a tableful of gentlemen, about one of the gentlemen!"

"No doubt of it whatever, Mr. Claiborne."

Armitage unbuttoned his coat, and jerked back the lapels impatiently.

"And I knew as much about Chauvenet as I did about you, or as I do about you!"

"What you know of him, Mr. Claiborne, is of no consequence. And what you don't know about me would fill a large volume. How did you get here, and what do you propose doing, now that you are here? I am in a hurry and have no time to waste. If I can't get anything satisfactory out of you within two minutes I'm going to chuck you back into the sack."

"I came up here in the hills to look for you—you—you! Do you understand?" began Claiborne angrily. "And as I was riding along the road about two miles from here I ran into three men on horseback. When I stopped to parley with them and find out what they were doing, they crept up on me and grabbed my horse and put that sack over my head. They had mistaken me for you; and they brought me here, into your house, and pulled the sack off and were decidedly disagreeable at finding they had made a mistake. One of them had gone in to ransack your effects and when they pulled off the bag and disclosed the wrong hare, he dropped his loot on the floor; and then I told them to go to the devil, and I hope they've done it! When you came in I was picking up your traps, and I submit that the sword is handsome enough to challenge anybody's eye. And there's all there is of the story, and I don't care a damn whether you believe it or not."

Their eyes were fixed upon each other in a gaze of anger and resentment. Suddenly, Armitage's tense figure relaxed; the fierce light in his eyes gave way to a gleam of humor and he laughed long and loud.

"Your face—your face, Claiborne; it's funny. It's too funny for any use. When your teeth show it's something ghastly. For God's sake, go in there and wash your face!"

He made a light in his own room and plied Claiborne with towels, while he continued to break forth occasionally in fresh bursts of laughter. When they went into the hall both men were grave.

"Claiborne—"

Armitage put out his hand and Claiborne took it in a vigorous clasp.

"You don't know who I am or what I am; and I haven't got time to tell you now. It's a long story; and I have much to do, but I swear to you, Claiborne, that my hands are clean; that the game I am playing is no affair of my own, but a

big thing that I have pledged myself to carry through. I want you to ride down there in the valley and keep Marhof quiet for a few hours; tell him I know more of what's going on in Vienna than he does, and that if he will only sit in a rocking-chair and tell you fairy stories till morning, we can all be happy. Is it a bargain—or—must I still hang your head down the well till I get through?"

"Marhof may go to the devil! He's a lot more mysterious than even you, Armitage. These fellows that brought me up here to kill me in the belief that I was you can not be friends of Marhof's cause."

"They are not; I assure you they are not! They are blackguards of the blackest dye."

"I believe you, Armitage."

"Thank you. Now your horse is at the door—run along like a good fellow."

Armitage dived into his room, caught up a cartridge belt and reappeared buckling it on.

"Oscar!" he yelled, "bring in that coffee—with cups for two."

He kicked off his boots and drew on light shoes and leggings.

"Light marching orders for the rough places. Confound that buckle."

He rose and stamped his feet to settle the shoes.

"Your horse is at the door; that rascal Oscar will take off the blanket for you. There's a bottle of fair whisky in the cupboard, if you'd like a nip before starting. Bless me! I forgot the coffee! There, on the table, Oscar, and never mind the chairs," he added as Oscar came in with a tin pot and the cups on a piece of plank.

"I'm taking the rifle, Oscar; and be sure those revolvers are loaded with the real goods."

There was a great color in Armitage's face as he strode about preparing to leave. His eyes danced with excitement, and between the sentences that he jerked out half to himself he whistled a few

bars from a comic opera that was making a record run on Broadway. His steps rang out vigorously from the bare pine floor.

"Watch the windows, Oscar; you may forgive a general anything but a surprise—isn't that so, Claiborne?—and those fellows must be pretty mad by this time. Excuse the coffee service, Claiborne. We always pour the sugar from the paper bag—original package, you understand. If you could find Mr. Claiborne a hat, Oscar—"

With a tin-cup of steaming coffee in his hand he sat on the table dangling his legs, his hat on the back of his head, the cartridge belt strapped about his waist over a brown corduroy hunting-coat. He was in a high mood, and chaffed Oscar as to the probability of their breakfasting another morning. "If we die, Oscar, it shall be in a good cause!"

He threw aside his cup with a clatter, jumped down and caught the sword from the table, and snatched out the blade.

Claiborne had watched Armitage with a growing impatience; he resented the idea of being thus ignored; then he put his hand roughly on Armitage's shoulder.

Armitage, intent with his own affairs, had not looked at Claiborne for several minutes, but he glanced at him now as though just recalling a duty.

"Lord, man! I didn't mean to throw you into the road! There's a clean bed in there that you're welcome to—go in and get some sleep."

"I'm not going into the valley," roared Claiborne, "and I'm not going to bed; I'm going with you, damn you!"

"But bless your soul, man, you can't go with me; you are as ignorant as a babe of my affairs, and I'm terribly busy and have no time to talk to you. Oscar, that coffee scalded me. Claiborne, if only I had time, you know, but under existing circumstances—"

"I repeat that I'm going with you. I

don't know why I'm in this row, and I don't know what it's all about, but I believe what you say about it; and I want you to understand that I can't be put in a bag like a prize potato without taking a whack at the man who put me there."

"But if you should get hurt, Claiborne, it would spoil my plans. I never could face your family again," said Armitage. "Take your horse and go."

"I'm going back to the valley when you do."

"Humph! Drink your coffee! Oscar, bring out the rest of the artillery and give Captain Claiborne his choice."

He picked up his sword and flung the blade from the scabbard with a swish, and cut the air with it, humming a few bars of a German drinking-song.

"Lord, Claiborne, you don't know what's ahead of us! It's the greatest thing that ever happened. I never expected anything like this—not on my cheerfulest days. Dearest Jules is out looking for a telegraph office to pull off the Austrian end of the rumpus. Well, little good it will do him! And we'll catch him and Durand and that Servian devil and lock them up here till Marhof decides what to do with them. We're off!"

"All ready, sir," said Oscar briskly.

"It's half-past two. They didn't get off their message at Lamar, because the office is closed and the operator gone, and they will keep out of the valley and away from the big inn, because they are rather worried by this time and not anxious to get too near Marhof. They've probably decided to go to the next station below Lamar to do their telegraphing. Meanwhile, they haven't got me!"

"They had me and didn't want me," said Claiborne, mounting his own horse.

"They'll have a good many things they don't want in the next twenty-four hours. If I hadn't enjoyed this business

so much myself we might have had some secret service men posted all along the coast to keep a lookout for them. But it's been a great old lark. And now to catch them!"

Outside the preserve they paused for an instant.

"They're not going to venture far from their base, which is that inn and postoffice, where they have been rummaging my mail. I haven't studied the hills for nothing, and I know short cuts about here that are not on maps. They haven't followed the railroad north, because the valley broadens too much and there are too many people. There's a trail up here that goes over the ridge and down through a wind gap to a settlement about five miles south of Lamar. If I'm guessing right, we can cut around and get ahead of them and drive them back here to my land."

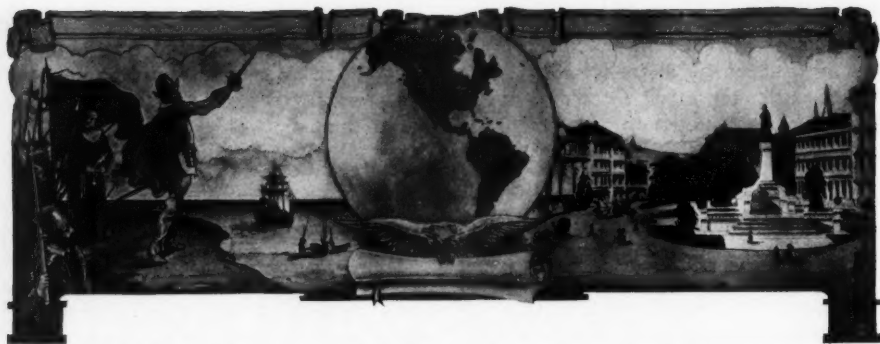
"To the Port of Missing Men! It was made for the business," said Claiborne.

"Oscar, patrol the road here, and keep an eye on the bungalow, and if you hear us forcing them down, charge from this side. I'll fire twice when I get near the Port to warn you; and if you strike them first, give the same signal. Do be careful, sergeant, how you shoot. We want prisoners, you understand, not corpses."

Armitage found a faint trail, and with Claiborne struck off into the forest near the main gate of his own grounds. In less than an hour they rode out upon a low-wooded ridge and drew up their panting, sweating horses—two shadowy videttes against the lustral dome of stars. A keen wind whistled across the ridge and the horses pawed the ground restlessly. The men jumped down to tighten their saddle-girths, and turned up their coat collars before mounting again.

"Come! We're on the verge of morning," said Armitage, "and there's no time to lose."

[TO BE CONCLUDED]



THE SOUTH AMERICAN SITUATION

By ALBERT HALE

"WE WISH NO VICTORIES BUT THOSE OF PEACE, NO TERRITORY EXCEPT OUR OWN, AND NO SOVEREIGNTY EXCEPT SOVEREIGNTY OVER OURSELVES, WHICH WE DEEM INDEPENDENCE."

SECRETARY ROOT AT RIO DE JANEIRO, JULY 31, 1906.

VI

VENEZUELA—THE COUNTRY

VENEZUELA is old Spain, the Spain of Washington Irving eighty years ago. She has as much beauty, her people have the same Andalusian charm, and year for year since the time of Columbus she can show as much romance, as intricate diplomacy and as primitive inns as existed beyond the Pyrenees before guide-books were bound in red.

But the proper way to see Venezuela is not through a guide-book, supposing there were one, or to limit one's days to a circular tour in which everything is reckoned by the dollar; the spirit of the land must be found before its genius can be understood. Kipling's refrain of "somewhere east of Suez" can be paraphrased into "somewhere south of Hat-

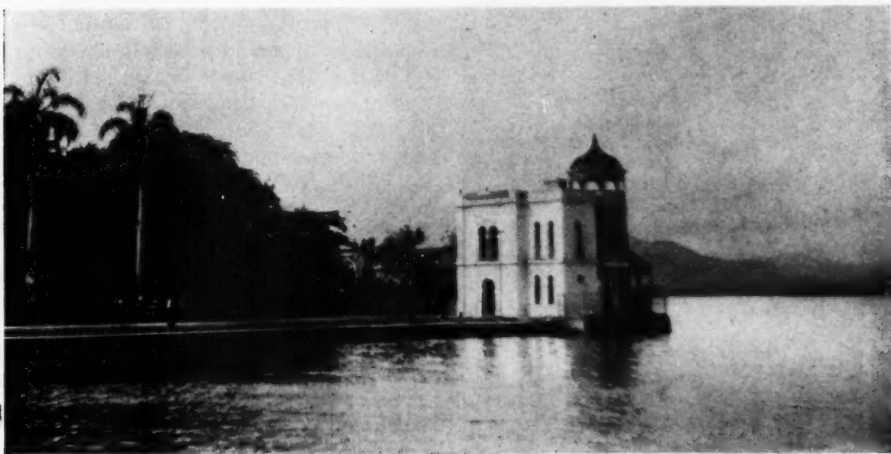
t'ras"; then the American, like his British cousin, will be able to feel the clutch of tropic life, and the romance of it will not be modernized into comic opera.

There is only one way to approach Venezuela: by sea. The Atlantic south of Hatteras becomes smiling as summer, and you enter Latin America through Puerto—it is only the unregenerate Yankee who will anglicize it into Porto—Rico, where they still remember Ponce de Leon, where the ocean kisses the old Morro, and where all the women appear to think he sets a very good example. Then there are two days across the sunny Caribbean; early in the morning you see in the distance the *silla* (saddle mountain); you creep slowly up to its cloud-decked slope; you try to land, but are assaulted by a babbling mob of natives and Jamaica niggers, who convey

everything and everybody into the custom house car, and you are at last in dirty, picturesque La Guayra.

La Guayra is a crab; it sprawls up and down the mountain, clinging to its sides as if it might at any time be washed into the sea; its streets lead nowhere, and there are only three ways to get out of it. One road is westward along the railway, with which it winds around through valleys higher at every turn till it reaches Caracas; an automobile might make the journey, though I question whether one ever did. The sec-

president who wished to visit it. "But, your Excellency," said his secretary of state, "the constitution says that you must reside within the federal district or delegate your authority to some one else." "Nonsense," replied his Excellency; "I shall delegate nothing to nobody (*nada á nadie*); it's much easier to annex Macuto." So the pliant congress passed a law that the little watering place was an integral part of Caracas. The connection is not plain, however, for Caracas lies beyond the mountain in a valley three thousand feet in the air.



HOTEL DE LOS BAÑOS, AT PUERTO CABELLO

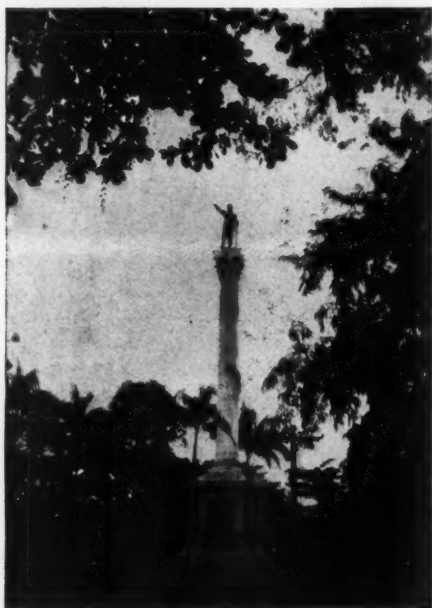
Each room has sea water bath—Meals are served in the open court

ond crawls over the mountain, across the summit and down again; along it are carried the lighter cargoes that are suitable for donkeys. The third skirts the shore eastward in company with a trifling French tram to Macuto, passing close to the ruins of an old fort which long ago threatened if it did not repulse the buccaneers of the Spanish Main.

Macuto is one of the most delightful spots on earth; it is an unknown Paradise, disturbed occasionally by an earthquake; but the inhabitants do not mind; summer is eternal anyhow. Macuto was made famous in history by a dictator

"Antonio," I asked, "how far is it to Caracas?" "*Quien sabe*," he replied, "perhaps eight miles, perhaps three." Antonio is the hotel-keeper, and knows all there is worth knowing. "But, Antonio, can you find a guide to take us over Picacho? We want to go by the old English road which the pirates took when they captured the town." "*Si, señor*; Agapito will take you. He has a sweetheart in Galipán." So we leave Macuto at four o'clock in the morning, asleep as at midday. We push our way up the mountain side, through the thick-
et where not even a donkey could secure

a foothold, till we are poised between sea and sky, and watch the sun rise just as we enter the path over which fish are carried for the morning's breakfast. To the north is the Caribbean, breathing with gentle throbs from the Atlantic; on flat spaces here and there are huts of natives who grow bananas, goats and children; there are ruins of a viaduct that some ambitious foreigner built in the delusion that Venezuelans needed rapid transit, forgetting that time is all



BOLIVAR, THE LIBERATOR

the money the people have; and just above us sits Galipán.

Unless you have seen Ronda in old Spain or the edge of Jalapa in Mexico, you never saw anything like Galipán. It is only a hamlet, perched three thousand five hundred feet between sea, valley and mountain, all scenery and drainage. An old musket rests against the wall, a few people come and go mysteriously, and the chickens can't fly away. "The house is yours, señor; tut, we can not

accept pay for so little, but we can sell you a bottle of Muscatel for twenty-five cents." Real Muscatel! How sweet it was, and how it went to my head! Smuggled? Of course not; but it came from Curaçao, and what's the good of buying revenue stamps at La Guayra? "Take another bottle?" We did, though we still had two thousand feet before reaching the top! Soon we entered a broader forest lane, with the dense tropical growth beside us; the ascent became less steep; we were on a level for a rod or so. Agapito pushed aside the branches to the south, so that we looked out on a valley spread far below, at the foot of a score of hills, and in the center, white in a nest of green, lay Caracas.

Dios mio, how beautiful! Nothing can add to it; not an element of charm or beauty is missing; it is perfection. And we sat there, feeling the thrills which must have moved the old freebooters over three hundred years ago. What splendid robbers they were, too; not for them was the love of saving, or the security of a bank and three per cents.

They were stirred only by the lust for conquest, and spent their money, when once they got it, with the same abandon with which they fought for it. To the strong the gold, they cried. It was an open game that ought to put to the blush our present heroes of finance. Caracas lay there, two thousand feet below us, as clear as a silver coin in a crystal pool, "Will it take more than half an hour to walk down?" I asked. "*Si, señor*; three hours, if you are not tired." "What! three hours? Why, I could jump that far." "You'd better walk, señor," Agapito said. "*Vaya Vd. con Dios*." "Tell me, Agapito, what are you?" "I'm a flower seller now, señor, but I was a soldier once." "Did you fight?" "Yes, under Matos; but he was a liar and a robber, and we lost." "Did you want to fight?" "No; but there wasn't anything else to do, and he promised to give us work and peace."

Such is Venezuela—one of the most beautiful lands on earth; full of promises to return a thousandfold any conquest over the soil; rich in agricultural advantages beyond the dreams of even those who knew the fertility of Andalusia; lacking only true industry, the power to make the persistent struggle which must precede the material reward that follows a lasting peace. And the Venezuelans are the Irish of South America.

The beauty of the country is the first and the most lasting impression. To catch glimpses at every turn in the valleys of cloudy peaks, or when on the mountain side to see through the limpid air valley after valley between the protecting hills, to breathe this pure air, to know that summer is almost perpetual—he is only half a man who does not for a moment forget the needs of civilization in the intoxication of primitive nature. The loveliness of Venezuela is something different from that of the Andean ranges further west and south; it is more tropical, and the mountains do not rise to the height in which the senses are stilled by grandeur; nor is there found so near the equator that ruggedness or gloom or solemnity which is one feature of the Rockies. It is a beauty of more human type, which can be enjoyed most when we know that man has his abode there. The Andes, the Alps or the Rockies are bold and austere; they need no life; life is not meant for them; but such contrasts and changes as are constantly presented to the eye in these softened landscapes are more exquisite when man is pottering about on the surface, trying to imagine that he is of some real importance on the earth.

Beyond and south of Caracas there is beauty equal to that discovered closer to the sea. In the little resort called El Encanto nature seems to have gone mad in her effort to outdo her previous work, and not till the traveler reaches the valley of the Aragua does it appear possible

to add a single charm; but passing even further westward, beneath the ruined *ingenio* of Bolivar, where the valley broadens out to hold in its lap the lake of Valencia, the traveler must cry, "Enough! I can stand no more!"

To travel from Valencia back to the state of Táchira would be to repeat the pilgrimage of Don Quixote, for the customs, the chivalry, the kindness and the hospitality, the ignorance and the



THE BEGGAR AT THE FEET OF LIBERTY

traditions of old Spain have not yet been laughed away. Among no people in the world is life safer; nowhere else will the last crust be shared more willingly, with less question, with greater cordiality, than here in Venezuela. I might lie down on the earthen floor next an unlettered cattle-tender, or take my midday meal at a chance *posada* with inland bravos whose knives stuck out of their belts; yet my purse was safe, my watch would continue to tick in my own pocket, so long as I gave no personal offense and

maintained as good manners as my neighbors. A freedom of intercourse, an acceptance of man for what he is worth, a democracy in thought and conduct, runs on undisturbed, away from the rail-

and aren't we all Americans together?" "Would you like to see more of us?" I went on, for his view of things struck me as rather different from what I had fancied the prevailing view to be. "We

like you very much. We wish you had more influence here; then we might really feel that peace will come."

How they talk of peace, these people! That night I spent, like like many others, chatting with my host. He was an oldish man in looks, though his children were still playing about the floor and had only just trooped home from school as I arrived. "What would

you want most, Don Miguel," I asked, "if you had your wish?" "To read, señor," he answered. "Look at my little Pepe there; he goes to school and is learning geography; he can tell you the big country you came from across the ocean, and he reads his lessons to me, but I—well, I was too busy fighting when I was a lad." "What did you fight for?" "I don't know, señor. I love my country

ways and the cities. Their association with the outside world is of the meagerest; they think only of their easy-coming crops; they vaguely wonder where the hides or coffee go, and they hope that soon another revolution will bring them into the promised land of peace for which they have been praying and fighting these hundred years. Within the narrow fringe marked by the few railways built to reform the country, the people are more sophisticated, and rejoice in a knowledge of beyond-sea matters; but they do not lose their kindness nor their hospitality, and the democracy of courtesy is as patent as ever. It means that they are acquiring a knowledge of the outer world, and learning that they have lagged behind in the work that really compels peace. Another Agapito, who on another day carried my bag cheerfully along a wayside road to a native tavern, said to me: "Are you a North American?" "Yes," I answered. "Why do you ask?" "Because I never saw any one from there before. Why don't more of you come to visit us?" "You don't like us, I suppose?" said I. "Oh, yes, we do," he replied. "Didn't you help us when we got into trouble,



SLUMS IN PUERTO CABELLO

The turkey buzzards are the city scavengers



A RAILWAY STATION IN VENEZUELA

and our little valley here; somebody told me that we were being robbed; and that if we would only help to drive away the president we should all be rich and happy, and that our crops would double. But it



LA GUAYRA

Sprawling crab-like up and down the mountain's cloud-decked slopes and clinging to its sides as if it might be washed into the sea

was not so. We had battles, and the army tramped over our fields; I lost my crops, and my cattle were driven away, but nobody paid me for them, and only more fighting came with a new president."

"What do you grow now?" I asked. "Years ago, when we had peace, I grew everything—cotton and corn, coffee, sugar and tobacco. We used to drive our burros over the mountains to Caracas, but even then we made money. Now I grow only a little corn or bananas, and onions; it doesn't cost so much to reach Caracas, because we are nearer the railway, but I am afraid. We have peace now, yes, but other men are trying to get us to fight, and we do not dare sow or till big crops."

And thus it was from place to place. The people, kindly and hospitable, knew of us; their Celtic blood has not been able to let them rest since they drew the first breath of freedom, and their imag-

ination has up to now pictured a false idea of liberty which has impoverished them below the level of endurance. This imagination has reflected the United States as a force to rescue them from the profitless turmoil of politics, and their common sense—I use the word seriously—warns them that there is but one hope of salvation, or they fall into a pit of self-destruction from which there is no escape. Their hope and prayer is for substantial, lasting peace. Peace is all the land needs; with that will come capital and immigration, and brains to direct them, so that energy and work will show a profit.

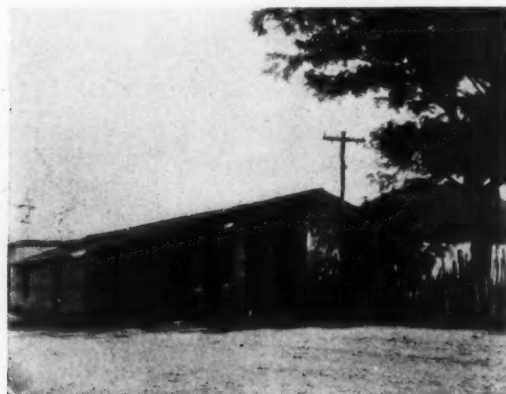
It is not the common people only who make this appeal to the foreign world; the merchant class as well is infected by the changing spirit. One evening I sat after dinner in the veranda of the Baños Hotel in Puerto Cabello. This is not an attractive or even a clean city; the pic-

turesqueness of a tropic seaport is very thin, and a few hours dispel any pleasure to be derived from the quasi-orientalism of the town. But in the shops and

country who wish you had a stronger influence, and they would not resent it if you exercised something like the control you have in Cuba or Santo Domingo.

Our beautiful land is losing all the importance it once had, and we would be willing to give up some of our boasted independence if for a generation we could have peace; but we fear that this will come only when some power stronger than ourselves secures us in our efforts to establish our industries on modern principles. The shipments on the railroad are not increasing as they should, because nobody dares to attempt more than enough to last from day to day."

In traveling along the more beaten paths this note of discouragement becomes more evident, and as a relief from the sorrow and disheartenment one sinks



TROPICAL SUNLIGHT AND SHADOW
Posada or wayside inn at San Mateo

cafés, among the merchants and those whose interests are more in material and less in romantic conditions, the conversation is of poor business, diminishing

oneself in the beauty of the landscape or the kindness of the people. In fact, the impressions are continually shifting; one moment, when the senses are dom-

inant and the languor of the air makes physical being the only existence worth enjoying, it would seem that nothing could be lacking, and that Venezuela possessed all the delights for which man has been striving since he set foot in America; but the next moment the contrast of poverty and unproductiveness with a rich soil, unsurpassed fertility and other natural advantages which we should consider golden in many parts of the United States, shocks one back into the twentieth century. It is impossible not to mix romance and materialism; or, rather, one must err on one side or the



BRIDGE AT VALENCIA

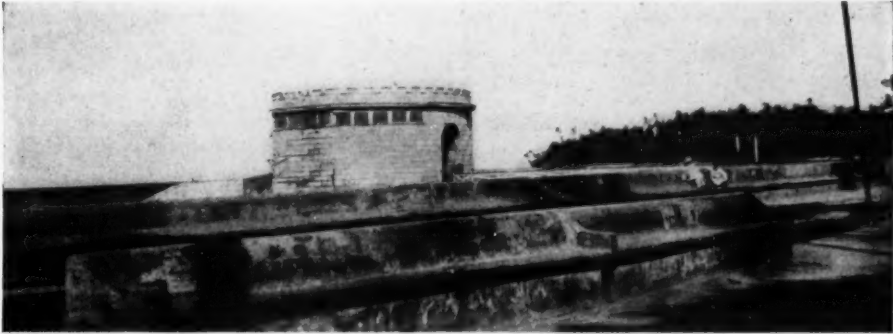
trade and general stagnation of industry. One of them said to me: "You Americans do not understand; we do not dislike you; we do not resent your interference. Indeed, there are many in our

other, and sympathize too much with the poetic and unpractical character of the people, or assert a too grim and rigid criticism against them and their inability to reap during the last century no great-

er crop than revolutions and foreign entanglements.

Venezuela has an area of five hundred and ninety-four thousand square miles, one-sixth of the United States. At Cumaná, about one hundred and fifty miles east from Caracas, is the first settlement in South America, and yet Venezuela, for all her openness to Europe and the rest of the world, is a byword and a reproach even among South American republics. From this port of Cumaná westward for eight hundred miles to the lake of Maracaibo is a belt of land extending sometimes twenty, sometimes fifty miles through the mountains to the south which has been occupied by the white

thousand—of the South American republics; yet she has the advantage, along with those countries washed by the Atlantic, of being essentially an agricultural country, and is capable, under scientific development, of supporting one hundred million people. In the seaports on the coast live only those whose business keeps them there, but the majority are on the plateaus and in the valleys of the interior. This inhabited area is one of the most beautiful and fertile regions of South America, and it will grow anything of the torrid and temperate zones; coffee, corn, cotton, sugar and tobacco should be the staple products. South of this well-settled area and east of the

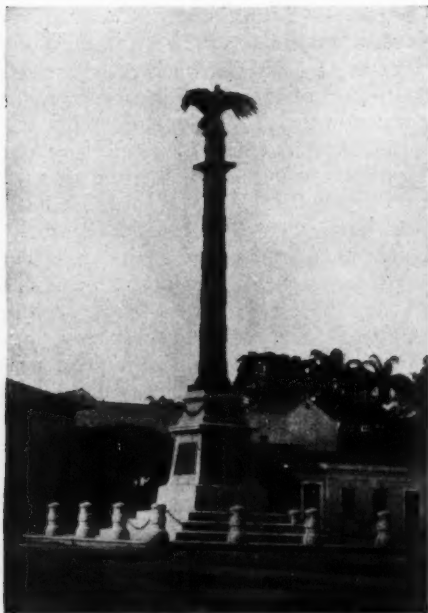


THE NATIONAL BATH TUB AT MACUTO

man for nearly four hundred years, and every generation drips with blood. The Spaniards killed the Indians, the English and others attacked the Spaniards, and those who lived in the country were always in arms to protect their lives and property against invaders; their only means of righting their wrongs was revolt; they knew no power but that of arms, and when Bolivar aroused South America to expel Spain, he taught them no new lesson. It will need a force different from their traditional one to teach them the principle of obedience to law. Although Venezuela is the fourth in size, she is only the sixth in population—two million six hundred and fifty

Andes is an immense tract of less known plateau and valley, extending one hundred and twenty miles to the Orinoco. The towns are few, and it is uninhabited except by Indians, unsettled except by ranchmen and half-breeds, unexplored except by wandering cattlemen and the line repairers of the national telegraph company. It represents to us exactly what Texas was sixty years ago—a few missions, boundless prairies for cattle, a moderate climate, and undoubted future productivity.

The means of communication throughout the interior is altogether the horse or the mule or the ox cart. From Caracas to Cumaná, or from Puerto Cabello



THE NORTH AMERICAN EAGLE PUERTO CABELLO

to Maracaibo, the journey must be made by sea, not because the intervening land is impenetrable or deserted, but because the roads are so bad that to wait for the biweekly steamer takes less time and money than to travel overland. Ciudad Bolivar, up the Orinoco, is reached by ocean steamer, but any other journey into the interior must be made in as primitive a way as our forefathers penetrated to Ohio a century ago. Outside of two or three cities, I did not see two consecutive miles of road which could be trusted with an automobile.

From La Guayra to Caracas, twenty-two and one-half miles, and from Valencia to Puerto Cabello, thirty-five miles, an English company owns the railway. Connecting Caracas and Valencia, one hundred and twelve and one-half miles, is the Grand Venezuela railway, owned by a German company. Of odds and ends of railway projected to tap many fertile districts, but beginning usually on the coast and running vague-

ly back into the interior, there are three hundred and sixty miles. All are of narrow gauge, and they measure Venezuela's material advance. As compared to the twelve thousand five hundred miles of Argentina, and allowing for the difficulties of engineering, she should have at least three thousand miles. I have been over many of these railways; they are managed with the care and thoroughness characterizing European lines; their regard for life and property shows a high efficiency, but they do not pay. Traffic and travel are not increasing, the government does not know how to stimulate and foster immigration and settlement, and hitherto, unless forced to it, the government has not known how to meet its guaranteed obligations. The employes of these roads are almost altogether foreigners; the office force, the clerical help and the unskilled labor may be natives, but the operating staff, those on whom the responsibility rests, must be imported, for the native stock seems



THE SUMMIT OF THE PASS ABOVE GALIPAN



THE LAKE OF VALENCIA

unable to keep plugging away at a mechanical task. In other branches of industry the same remark can be made. In Puerto Cabello the government attempted years ago to erect and use a dry dock for the shipping of the port, but though, under foreign help, the dock was built and set up, it never held a single vessel, and to-day it lies there, rotten and abandoned, a graveyard of good native money, and a sign of the inability of the native to do anything more than dream of greatness. They have tried the experiment again and again, at Puerto Cabello, at La Guayra, and in other places. It can not be given as a reason that they are not educated; from the viewpoint of statistics this might be demonstrated; but as a matter of fact their illiteracy is high only in the far-away districts into which a school system has not been introduced, or where the inhabitants are wild Indians, unwilling to attend school. In the federal dis-

trict (Caracas) only twenty-six all told out of one hundred are reported as unable to read, but the younger generation of school-going age can all read and write. This can be said also of the larger towns; even among the laborers' children it is hard to find a boy or girl who can not use books; but the use of tools or of the hands for any skilled task is beyond their thought. In Valencia there is a cotton factory, one of the few shops where modern machinery is placed within reach of the wage-earning folk, and the girls take to it with enthusiasm. The clean and open building, the abundance of fresh air are ideal, but it will require years to bring the workers to the efficiency of Mexicans, even if they escape the blight of further political disturbance.

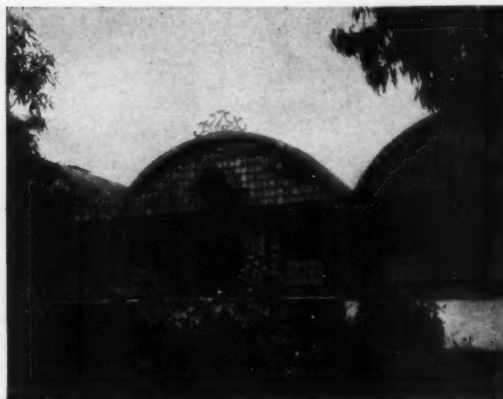
Few such industries are in native hands, and much of the initiative comes from the French or Germans. The English have built most of the railways, the

docks at La Guayra and Guanta, and are extensively interested in mines and shipping, while the Germans go in for breweries, the smaller trades and com-



CONCORDIA CLUB, VALENCIA

merce. It is the foreign talent that must be called on in most of the technical branches. The little army even is drilled under Frenchmen, and grand opera



COTTON FACTORY, VALENCIA

thrives only when the company is Italian.

To attend a performance of "Traviata" in Valencia is to be transplanted to Italy and the early fifties. With them the opera is a festival. It is like reading a

novel of Disraeli, so deliriously old-fashioned does it make one feel. Here are the same courtliness of manner, the grandiloquence of speech and the enthusiasm for the theatrical which marked that epoch. In a gentler way their esthetic sense is shown in their love for flowers and names. Every hut or villa will be decorated with trinitarias or roses or orchids, and some of the little stations along the railways are completely smothered in blossoms. The names of the stations and towns are chosen for the liquid quality of the words, and even viaducts and bridges, instead of being numbered, bear such titles as El Tigrito, Flor de Mayo and Las Lomitas. But the crowning example of this tendency may be found in the press or in any public oration. Words come tumbling

out with the abandon of epic poetry, and to announce that a bridge is open for public use demands the vocabulary of Dr. Johnson. With us, although our stump speakers are by no means guiltless, this sounds ridiculous; with them it is only the outburst of the artistic temperament.

Indeed, I might say that it is a nation suffering from the artistic temperament; a nation afflicted with passions, longings, emotions, for which there is no adequate or material expression. In the seaports, like Maracaibo, Puerto Cabello and Barcelona, the *Venezolanos* come in touch with a rugged civilization and wither; then they begin to show squalor, shiftlessness and degradation; they have no grasp, no apparent knowledge of the material side of life; all their defects rush to the surface, and their luster dies as does that of a pearl which has lain too long away from the warmth of the human skin. La Victoria illustrates better than any other of the interior places the resuscitation of a



WASHING DAY WITH COUNTRY WOMEN IN VENEZUELA

Spanish foundation from 1593 into a modern Venezuelan city. There are perhaps eight thousand inhabitants all told, but they have escaped the historical heaviness of Valencia, and seem perpetually youthful with all kinds of sunshine. The streets are as clean as a broom can make them, and the little parks glow with the colors of all the bright flowers the climate can produce. Here, as an exception to the rule in the capital, numerous benches invite the loiterer, and they are continually used, too, since the native loves nothing better than to be out of doors, basking; he isn't lazy; he's only waiting for the sun to go down so that he can quit work.

Facing on the square is sure to be a cathedral, or at least a church, and the notes from their bells clang the quarter-hours, not always in unison or harmony, either; each belfry is an independent timekeeper, and when the last chime has pealed the first is about ready to begin

again; therefore, especially on Sunday morning, the ringing and the jangling are incessant. This is due to the fact that Venezuela is Roman Catholic, both by government decree and by tradition; an alien creed has little chance here, not necessarily because the people are intolerant, for they themselves are genial and charitable enough, but rather because the centuries-old alliance between church and state has allowed the priestcraft to penetrate into every ramification of life, and so encouraged superstition that a heretic is apt to be considered an enemy of his race and of the government. It is the same condition that prevailed in Spain no more than twenty-five years ago. But to go into the church is again to forget the generation and the purpose of our life; the sensuousness of the service is medieval, though one is sure to hear good music. In La Victoria I heard a choir of boys' voices which might be the envy of any city of Europe, and the



THE GRAY RUINS OF SPAIN'S DOMINION—OLD FORTRESS ON THE CARIBBEAN

tenor who occasionally burst out above the chorus could easily stand comparison with the best in Paris or Rome. Yet the young people are quite as human as elsewhere, for the girls were dressed in fashionable white, and as they filed out they waited at the door to receive the compliments of their admirers and perhaps to walk home with their sweethearts, exactly as they would do in Peoria, Illinois.

Later on there may be a concert in the park, to which all society turns out; the women chatter small-talk, but the men discuss politics. It is Aristotelian politics, where the ideal state and perfect social relations are worked out to a nicety; it is always a theory, not a condition, confronting them. Liberty and politics

are the delight of their conversation, even in the smaller cities of Venezuela. It is politics everywhere. In the railway stations are signs commanding employes to abstain from talking politics; whenever you see two or more men sitting in an obscure corner of a café, gesticulating wildly, but scarcely speaking above a whisper, and casting mysterious glances about them, you may be sure they are discussing politics; yet if you want to find out where a whole nation broods over questions of state and hatches all manner of plots, counterplots and rebellions in the name of liberty, you must get acquainted at first hand with the chief city and the capital, Caracas.

In the April *READER* Mr. Hale will continue his observations on Venezuela in an article devoted to the capital city, Caracas,—“where the Castilian descendant still rides into town on his jingling pony; where the ladies still sit behind their barred windows and listen to Spanish nothings at dusk or by moonlight; where business is still done with a quill pen, and where everybody, beggar or president, carries a cane,”—its poverty and picturesqueness, its unpleasant politics and its peremptory president, Cipriano Castro.

THE LAST MOMENT

By J. OLIVIER CURWOOD

Author of "The Law of the Lakes," etc.

CONNOLY, head and shoulders out of the cabin, was in time to see Svenson, the Swede, burst like a maniac from the group of men fighting like shadows in the mist of the forward pump. He caught faintly his yell of defiance as Flick, the second officer, ran out from among the shadows and intercepted him with a blow from a knotted fist that sent him reeling into the drowning wash of the sea. He shouted as the little gray man followed up Svenson's huge bulk, like a terrier, and other figures staggered out of the blinding spume, naked armed, bare chested, with Svenson's panic gleaming in their eyes. Flick saw him as he came across the deck and planted his back against the port davit, where the tops of the seas swept over him in smothering rushes.

"They've left the pumps!" he shouted as Connolly came up. "I'm damned—"

A ton of water breaking over the rail sent him reeling out among the men. He picked himself up and staggered to Connolly, his thin, gray-bearded face questioning him eagerly.

"She's a little better, boys!" shouted the captain. "But we can't take her out into *that*!"

He pointed out into the grayness of the sea, broken only by the foaming tops that rode rail-high with the ship.

"My God, men, no boat would live—"

The voice of a seaman rose almost in a shriek.

"We're full! We're full to a foot of the hatches, I tell y'! She's got to go now or never!"

There was sullen assent in a dozen water-blistered eyes. From early morning until noon these men had clung to a sinking ship because each cherished in

him a memory of the woman. Because of her they had fought until their hands bled and their breath came in gasps. They had watched the schooner settle inch by inch and foot by foot, struggling stubbornly for the precious minutes which would give life to her, until arms hung limp and effortless and men fell exhausted upon the deck when others took their turns at the pumps. And above them all Svenson had worked and urged and cursed those whose nerve began to fail them, until, when the last minute seemed riding on each white-crested rush of the sea, something broke within him, and he turned in his despair to the boats. It was Svenson now who rushed to the falls. In an instant Connolly was among the panic-stricken men.

"You can't live in that sea!" he shouted. "Fight it out another hour, men—one more hour!" The black cook had drawn a knife to cut the davit ropes, and Connolly dragged him back by the throat.

"You will stay!" he shrieked, with an oath. From behind him he heard Svenson's loud call for help, and as he stumbled to the deck with the cook he saw that the Swede had slipped his end of the falls and was straining at the ropes to keep the boat from being rammed by the heads of the seas. Even as he freed himself of the negro, a huge sweep of water shot up like a geyser from the schooner's side, hurling the bow of the small boat to the deck and hitting Svenson a blow that sent him half amidships. The tackle had slipped from its block, leaving the ropes and davit useless, and, commanded by the voice of the crazed Swede, the demoralized crew rushed across to the starboard boat. Connolly

had missed Flick, and now the little old mate came running from the cabin with a revolver in his hand. The captain went between him and the men.

"Let 'em go, Flick!" he cried. "They're leaving the other boat. Let 'em go. They're mad!"

Slowly Flick backed to the port side, his pistol cocked, watching the men to starboard like a cat. For a few moments he stood there, his weather-whitened eyes never for an instant off the thrilling scene before him; then he turned to the abandoned boat, and as he leaned over to begin the readjustment of the tackle a cry as filled with madness as that of Svenson's fell from his lips. He whirled about with his revolver on a dead level, but was a moment too late. As the report of the shot sounded faintly above the thunder of the sea the starboard boat, filled with half-mad men, slipped down into the gray mist, and when Flick reached the empty falls he could only blaze away at a pitching shadow that was losing itself in the gloom. Connolly caught him by the arm, and, like one dazed by a sudden blow, Flick slowly faced him.

"Jim, she's—*stove in!*"

There was a terror in his eyes that Connolly could not fail to understand. He knew that the little man was thinking of what was down in the cabin. Speechless, the two returned to the port davits and stood over the ruined boat. From it Connolly turned his eyes to the gray desolation that shut in the sinking ship. The schooner rode more easily now. She had settled until the resistance she gave to the sea was as solid as that of a mass of steel, and the ramming of her sides only sent jarring throes through her timbers, as though a thousand-ton weight touched her gently each time she was struck. A few minutes more, a sudden sweep of water over the rail, and Connolly knew that she would go down, quietly and without sensation, but with merciful quickness. He turned toward

the cabin, and at the threshold of the door that led to where the woman lay he paused for an instant and fought for the strength that he knew he would need. Then he opened it and entered. At the end of the room a woman lay upon a cot, her strangely white face turned expectantly toward the door. As Connolly came through she smiled, and her beautiful eyes brightened with a glad light.

"It has seemed so long, Jim," she said, her voice rising barely above a whisper. "The storm frightens me. But it's quieter now, isn't it?"

"Yes, dear!"

The man took off his dripping hat and coat and sat down beside her. The woman, as he did so, drew down the coverlet a few inches so that he might see the little pink face lying against her bosom. He leaned over, more to hide his own whiteness than to caress, and stroked the baby's cheek with a big forefinger. The woman took his other hand and pressed it happily. She spoke no word, but when the man raised himself to look into her face he saw the great dawn of the new life shining adoringly in her eyes. The gentle happiness there seemed to creep up and embrace him, like a thousand clinging arms, and with his heart almost breaking in its agony he pressed his lips close down against her own and for many minutes lay quietly, listening to the bursting crashes of the sea and counting the time when the last moment of them all would come. After a time the woman said:

"Jim!"

"Yes, dear."

"Are you—*very* glad?"

The man pressed her face to him with passionate tenderness. He did not answer in words, but the woman was satisfied. Then he gently drew himself away, the young wife's eyes following him inquiringly.

"You're not going back—now?" she asked. "I thought—"

"Yes—Flick is in charge," he said

quickly. "But I must see—that everything's all right—" Between his words he hesitated, listening to a sound under his feet that thrilled him. It was like the bumping of floating cargo against the deck. The water was rising faster than he supposed, but he showed no sign of the fear that was in him.

"You will be back soon?"

"Right away, Jen!"

He came back to kiss her, the sickening throbbing at his heart almost suffocating him as he looked down into the woman's confident eyes, luminous with a touch of the old fever. He was glad that she did not know. It would make the end easier for him—and for her, if the end had to come. And he knew there was only one chance in ten thousand against it. As he passed out of the cabin he saw the life belts strung along the ceiling. For an instant it flashed into his mind that he might use them. As quickly the thought passed from him. They would only prolong their misery a little longer, and the woman—he shuddered as he pictured what those few minutes of life battling in the sea would mean for her. The end would come easier in the cabin. In the last minute she would understand, and would love him more for it. So he passed out, closing the door carefully behind him, and scanned the deck for Flick.

In the mist which enshrouded the abandoned pump, belched up in clouds over the bow, he saw him fighting feebly where Svenson and the crew had been half an hour before. It struck Connolly that there was a touch of the Swede's madness in him now, for only madness could keep him there, with his arms steadily rising and falling as if the rhythm of the pump count was still sounding in his ears. He had come out to shake hands with Flick and pass a last word with him, because Flick had stood by him and the woman. But something held him from interrupting the man at the pump. It occurred to him that the

mate had lost count of material things, and that his madness was a blessing. He might have had a chance in a hundred or two by packing himself with life belts, but that chance was hardly worth fighting for. Connolly would scarcely have taken it himself had he been alone.

For a few moments he listened for the sound under his feet. But he heard and felt only the jarring of the ship which came of the seas pounding against her. With his eyes on Flick he went to the midship hatch and thrust an arm through the hole that had been made for a pump. He did not expect to touch water. The fact that he did brought him to his feet as though something had bitten him. Flick had seen him, and stood huddled just out of the sheets of spray that shot over the bow, watching as if the sight of the man rising from his knees was curious and interesting. Connolly beckoned to him. Flick's only response was to dive back into the mist, like an animal hunting cover, and then again Connolly saw him, shadow-like, bending and rising with the motion of the pump.

A great shudder ran through the schooner. If she had possessed a tight hold Connolly would have thought that she had struck a rock. The leeward drift that had won these last hours of existence for her against the rushes of the sea seemed suddenly stopped, as if she had steadied herself for the final engulfment. Connolly turned and ran for the cabin. He heard Flick's cry behind him and caught a glimpse of the little man as he staggered out of the mess forward. But it was too late to stop, even to give a last word to Flick. Over his shoulder he saw the starboard rail hidden in a mass of seething water, and as he reached the door it swished about him ankle deep and followed him in a torrent into the cabin. Again he heard that cry of Flick's, but he shut the door, as he had planned, and bolted it to give himself a few last moments of life with the woman.

When he turned to her with the tragedy that had overtaken them written in his face, his outstretched arms dropped slowly to his side. Only her name fell from his lips. The words that he had meant to say were left unspoken. The woman was asleep. Her face was toward him, and in the dim lamp glow he saw deepening in her cheeks the flush of returning fever. One white hand had fallen over the side of the cot, and on it gleamed their wedding ring. Like an animal Connolly fell upon his knees. The water trickled about his fingers as he crept to her. At the bedside he stretched an arm over her, so gently that she did not awaken. Then he turned his face to the door, grim with the terror of this last moment, but filled with the splendid sanity of his resolve. The sea would not get the best of him. He would have the woman, at the last—and so firmly that the hell of a thousand seas could not separate them. But it would not be until the last—the very last. Then she would awaken only to know that he was there, and would die before the misery and the terror of it all came to her. The man fancied that he heard the beating of water against the panels; his staring eyes saw it pouring faster under the door—he heard it straining against the cabin walls. The floor seemed lifting him up. Bow first, the schooner was diving to her doom. His arm grew heavier over the woman. His other slipped under her head. Then came another shock, longer than the one that had preceded it, and after that there was absolute quiet, save for the trickling of water under the door and the tremendous beating of his own heart.

Still the woman slept.

There came a knock from outside, again and again, and then a sudden pressure that burst off the bolt, and Flick stood there, babbling words that seemed to have no meaning. He went as suddenly as he came, and Connolly could hear his sobbing voice dying away on deck. He drew his arms from the woman and followed. At the door he paused for a moment, then slipped out.

The woman's fever-stricken face moved a little. Her eyelids trembled, and after a moment she opened them.

"Jim!" she called weakly.

A gust of wind slammed the door.

"Jim, where are you?"

She drew herself up on an elbow, frightened, and saw the water running black and ugly on the floor.

"Jim—Jim—Jim—"

A man sprang through the door. It was Connolly. He wrapped her close to his wet breast, and the laugh that fell from his lips was filled with an insane joy. Over his shoulder, standing in the doorway, the woman saw Flick.

"Had quite a time of it, but it's all over now, sweetheart!" whispered Connolly. "Where do you think the old tub is? Couldn't guess, eh? Well, she's settled as soundly as the Rock of Ages somewhere on the Thunder Bay shore! Tried to fight her off, but we couldn't do it. Now all we've got to do is to eat and sleep until somebody comes to pull us off. Eh, Flick?"

Flick had gone. Out on deck, with his face turned to the indistinct outline of the shore, and the gleams of sunlight bursting through the ragged clouds, he bowed his gray head and softly whispered what little he could remember of the Lord's Prayer.



AFAR FROM ELSINORE

By JOHN T. MCINTYRE

Author of "How Tommy Landed the Goods," etc.



SUBDUED chant arose in the Fourth. A great, green fly buzzed along the ceiling, adding a thin, high note to the drone of the class. It was a May afternoon and the windows were open; Brother Clement sat in his armchair, drowsing over a Latin copy of the "Imitation"; Kennedy occupied the platform; in his hand was a blue paper-covered catechism, and he was asking questions.

"What," he demanded in a low, sing-song voice, "is God?"

"God," chanted the Fourth, in the same subdued fashion, "is a spirit infinitely perfect."

Kennedy fluttered the pages intently. Riley, from his seat in the body of the class, regarded Kennedy with frowning brows and unappreciative eyes; the splay of freckles across the bridge of his nose seemed to pucker indignation, as he bent his flare of red hair toward Hopkins.

"Look at him digging for harder ones," he whispered.

"How," inquired Kennedy, "did God create Heaven and earth?"

"God created Heaven and earth from nothing," droned the Fourth in a dreamy monotone, "by His word alone; that is, by a single act of His all-powerful will."

This promptness seemed to irritate Kennedy; he turned the pages rapidly and in quantities.

"He's trying to put us up against it," complained Hopkins to Riley. His fat cheeks puffed wrathfully, and he glowered at Kennedy over the intervening heads.

"It's almost time to duck," remarked

the red-haired boy, his eye on the clock. "And if he hunts much farther along, he'll have the bell on him before he can hand us another one."

But Kennedy paused in his search and placed his finger upon a paragraph that promised much.

"Which," he demanded, "are the gifts of the Holy Ghost?"

There was a dead silence. The questioner pulled down his cuffs and smiled; he flecked some particles of dust from his sleeve and winked at his friend Martin, who sat at the first desk. Then a single, high-pitched voice made answer:

"The gifts of the Holy Ghost are wisdom, understanding, counsel, fortitude, knowledge and the fear of the Lord."

The sharpness of Riley's voice startled Brother Clement into wakefulness. He looked at his watch and then rang the bell.

"That was the best thing you ever did since you came into this class," said Hopkins, admiringly. "I'm for you."

As the class filed into the street, Martin and Kennedy, who had headed the column, met Riley at the gate. A number of their cronies had also waited, and it was evident that some sort of entertainment had been promised them. They examined Riley's shabby, thin little figure with amused toleration, for the friends of Martin and Kennedy were always well dressed, well fed and very superior.

"Hello, Riley," Martin saluted, with lofty condescension.

Riley looked at him with a grin.

"Look out," he warned, "you might fall from 'way up there.'"

"How are you doing with the show?" asked Kennedy.

"Fine," replied the other, promptly. "I'll have yours of last quarter all faded up."

"And he ain't even rehearsing," exclaimed Martin to his listeners. "Gee, that kid's got a gall!" Then to Riley: "You're going to put the exhibition on the mut, all right."

Riley pulled his book-strap a hole tighter.

"Don't think," he said, "that you're the only noise in this class. I'm going to show you things."

"We knowed you'd fall down," stated Kennedy.

"That's why we elected you director," said Martin. "We've got your feet fixed this time."

"Why?" asked Riley.

He stood with his thin, black-stockinged legs very wide apart, and his mop of flaming hair sticking out all around the edges of his cap. Martin, in his carefully pressed clothes, his high white collar and his well-displayed watch-fob, leaned forward and tapped him on the breast with a finger that had a ring on it.

"Oh, you know," said he, "you've been too fresh since you came into the Fourth. And we don't stand for no kids trying to show us how."

On their way home Hopkins said to Riley:

"He was just stringing you when he said they elected you director. Bud Hulzer and me done it."

"You'd had a swell time doing it if them fellows had been against me, wouldn't you?" said Riley, disdainfully. "He told the truth. They did elect me. I was wise to it all the time."

Now, at the end of every quarter, the Fourth gave a scholastic exhibition and invited its friends thereto. But the rector, Father Augustine, had noticed that bookish proficiency alone did not draw very well, so he added musical numbers and a stage play. The singers and musicians were always volunteers, procured

by the director, a functionary chosen by the class from among its members. The play was also selected and staged by this important personage, and up to this time the office had always been filled by a boy whose family influence, in and out of the parish, had helped him to success.

"I thought it looked kind of punk from the start," Riley said. "They put me up and elected me to get square, just as they said."

"Ain't you got nobody at all to help in the show?" asked Hopkins, anxiously.

"No," replied Riley; "I don't know anybody that plays music, or anything like that."

Hopkins produced a soiled program of the last exhibition. Father Augustine, in congratulating Kennedy, had called it the most successful in the history of the class.

"Here's the orchestra," said Hopkins, indicating the overture. "There was fifteen of them; they could play hot music all right; and they had on dress suits."

"Kennedy's brother got 'em," Riley informed him. "They was some kind of amateurs."

"And look at the bunch of men and girls that sung and spoke pieces. It'll take a lot of doing to fade that, Riley."

Riley was of the same opinion, and confessed as much in tones tinged with gloom.

"Last time," continued Hopkins, "Kennedy had his cousin from New York to play on a harp." The other made no answer, but stepped carefully along the flags, avoiding the cracks. "Wasn't she the limit?" asked Hopkins, admiringly. "I like them kind of girls with gold hair, don't you?"

"She didn't have any sleeves in her dress," criticized Riley.

"You don't play harps with your sleeves," Hopkins flared.

But Riley ignored his friend's evident infatuation; he was endeavoring to sound the social depths between Kennedy and himself.



MARTIN TAPPED HIM ON THE BREAST

"I ain't got no cousin that can play a harp," he confessed.

"You've got one that shovels coal, though," stabbed Hopkins, wickedly; for the subject of the golden-haired harpist had come up more than once before, and Riley had always treated her with scorn.

The next day Father Augustine sent into the Fourth and desired that the newly-elected director and his assistant be sent down to him. Martin burlesqued a fainting fit upon his desk as the two arose, and also gestured wildly for aid. Kennedy went through a pantomime of the scene he expected to take place. The boy had talent and sketched the thing well. He threw before the class a pon-

derous man, majestic, austere, solemn; also two small boys who wept much and dug their knuckles into their eyes. The Fourth enjoyed this; but Riley's eyes snapped resentfully.

"I'll be having him standing on his hands before I'm done," he declared to Hopkins.

The sun slanted across the roof of the parish house and glared into the flagged court-yard like a wide, hot eye. Father Augustine paced slowly up and down in the shade cast by the wall of the girls' school. He wore his long black cassock with its row of many buttons down the front; one big, fat, white hand held a cigar which gave off a spicy smell; the other supported a book which he read

with evident enjoyment. It was a volume with very black, very clear and very graceful type, broad, handsome margins, deckle edges, and bound in spotless vellum. Father Augustine loved fine tobacco and beautiful books.

He was too deeply absorbed to notice the two boys at first; so they seated themselves upon the ledge of a basement window to await his pleasure. Within, a class of girls chanted a spelling-book epic, while a black-robed sister beat the time. A girl with a candidly turned-up nose made faces at the two blank backs framed in the window. Now and then the boys would turn a look into the room and betray silent symptoms of vast entertainment. But Father Augustine received most of their attention.

"He ain't laughing to-day like he does sometimes," observed Hopkins.

Riley watched a blue thread of smoke arise from the spicy-smelling cigar; then it paled and vanished in the sunlight.

"You don't laugh at every kind of Shakespeare," he said.

"Don't you?"

"No. Some of 'em's fierce."

"I ain't never read any," confessed Hopkins, "but if I was ejjacated like Father Augustine, maybe I would, too."

Riley rubbed his thin knees reflectively.

"I read one of 'em once," he stated. "It was about a man what seen his father's ghost at twelve o'clock at night."

"Gee, I wouldn't like to have been him; would you?"

"No," confessed Riley, "I wouldn't."

When Father Augustine finally paused before them, he folded his arms across his big chest, the burning tip of the cigar and the vellum-covered book peeping out at either side.

"So you are the new director, are you?" he said to Riley.

The boys arose and took off their caps.

"The other fellows picked me out," apologized Riley.

Father Augustine seemed to consider

an apology not out of place, and from his expression he had no high admiration of the Fourth's taste in the matter. He even frowned a little.

"Kennedy did very well last time," said the stout rector. "His little play of 'General Howe and the Boys of Boston' was cleverly done."

"I was *General Howe*," volunteered Hopkins. He puffed out his cheeks and wrinkled his brow after what he considered the manner of that warrior. "I had on a red coat and boots."

"You was picked out because you was fat," Riley informed him with disdain. "Only for that you'd have been 'way in the back hollering 'Hooray' like me."

Father Augustine smiled a little at this; but the annoyed look immediately returned, and he regarded Riley attentively. The sharp, freckled face, the carrot-colored hair and thin, shabby figure did not quite fill his conception of what the director of the Fourth's quarterly exhibition should be. The well-connected Kennedy had done splendidly in the office. But could Riley succeed? Father Augustine doubted it.

However, he tried not to show his doubts. He said a great many encouraging thing; then, his cigar being finished, he nodded and entered the parish house.

"He ain't stuck on me much for the job," said Riley, with conviction.

"No," agreed his friend. "He'd rather have Kennedy again or somebody like that. They could go as far as they liked."

"The whole lot of them think they've handed me a lemon," Riley said, "and I'm going to fool them; see if I don't."

Just then the basement door of the schoolhouse opened and the girl with the turned-up nose came out, a bundle of books in her arms. She smiled brightly and bowed with great dignity.

"Good afternoon," she said.

Both boys took off their caps and grinned amiably.

"Hello," they saluted.



"SO YOU ARE THE NEW DIRECTOR, ARE YOU?"

She was about their own age, but was taller and carried herself with an air; her skirts swung behind her and her chin was tilted as she walked. But the fun in her eyes showed that this was part of a new game, and that she enjoyed it greatly.

Riley was observantly silent; it was Hopkins who spoke first.

"Gee," said he, in wonder. "You've got the style with you, all right, Tess. Look at her; will you?" to Riley.

"She does walk kind of sassy, don't she?" commented the latter.

The girl laughed gleefully.

"Ain't it swell?" she asked. "That's

the way Dearie Deeever walks. I seen her downtown yesterday when I was out shopping with Sister Agnes. And wasn't she dressed, though! You ought to have seen her. Everybody was turning to look!"

"No wonder," said Riley, eying the walk with no great favor. "She ought to've been pinched."

"Oh, I think you're awful! She's as nice as anything—you never saw a lovelier girl! And when I run up and grabbed her—I just couldn't help it—and then told her who I was, she—she kissed me, right in front of everybody."

Hopkins grunted. This was supposed

to convey his sense of superiority; but Riley detected envy in its depths.

"And she asked me to come see her," the girl exulted. "Sister Agnes has let me out soon, so's I can get dressed to go."

"How does it come that Dearie shines up to you so much?" asked Riley.

"Why, her and my oldest sister, Sadie—the one that died, you know—worked in the same factory. Oh, they were the greatest friends! That was before Dearie went on the stage, you know."

The boys watched her swing gaily along the sunlit street, still imitating the much-admired walk.

"I used to know Nora Deever, too," said Riley, thoughtfully. "On summer nights, when mother was so tired that she just couldn't move, Nora would come around and take me for a walk. I was only a little kid then, and I didn't have hardly anybody to do anything for me."

"I'll bet she wouldn't go back no alleys now to take kids out for walks," declared Hopkins, as they ascended the stairs.

The whole district knew the wondrous story of Dearie Deever—perhaps the entire city. Six years before, Herr Wolfe, youthful, blond, spectacled and gifted, with marvelously little English, had got himself lost one afternoon, as was his custom in American cities. In a narrow, dirty street, where the smoke was thick and the buildings ugly and high, he heard a voice and halted—fascinated. Above the dull jar of the machinery the voice sounded the melody of an old Irish ballad—a voice of wonderful power and sweetness.

Everybody knew how the young musician rushed into the place, his blond locks in disorder, his mild eyes alight behind his big gleaming spectacles. And every one knew how he came upon a strapping, handsome Irish girl, with a great mass of copper-colored hair, flashing teeth, and a figure as tall, strong and sound as a North State pine.

Here was tone, range, physique! Herr Wolfe went mad!

And so Dearie Deever was sent to Europe with her astonished old mother; and when she returned she bound the musical world in chains.

Riley had heard all this many times; and he cogitated during the remainder of the afternoon behind the wide spread of his geography. Once he whispered to Hopkins:

"Say, I bet I've got your nerve."

"I'll bet you ain't," returned his chum, promptly.

But Riley shook his head and returned to his secret thoughts. On the way home Hopkins asked:

"What are you got my nerve about?"

"About Nora Deever," said Riley.

Hopkins stared.

"Let's go and see her," proposed Riley.

Hopkins swallowed once or twice.

"What for?" he asked.

"To see if she'll sing in our show."

"All right; come on."

There were posters in green and white along the side walls of the theater announcing:

MISS DEARIE DEEVER

IN

LUDWIG WOLFE'S BEAUTIFUL OPERA

"THE RHINE MAIDEN."

A brisk little man in a great deal of collar and cuffs met them at the stage door.

"The star seems to know all the kids in town," he complained, after they had stated their desire to see Miss Deever. "She'll be starting an orphanage next," he added in an injured way.

It was Herr Wolfe whom he addressed, and Herr Wolfe smiled as he swayed his blond head gently and unconsciously to the throb of distant music.

"I haf not an idea," said the young composer; "bud if she vos dinking of somedings like dot, it was all ride." He

smiled again, and his blue eyes were filled with pleasure. "Vot effer she does vos all ride," he continued softly.

The brisk little man pulled down his cuffs and pulled up his collar. His expression was of strong disapproval; however, he did not put it into words.

"What do you want to see Miss Deeever for?" he demanded of Riley.

"On business; don't we, Hoppy?"

"Sure!" corroborated his friend.

The little man grinned.

"Say, you," he called to a boy in a scarlet jacket, covered with gilt buttons, "Mr. Riley and Mr. Hopkins to see Miss Deeever. And hurry up." Then he turned to Herr Wolfe. "It's crippled old men, shabby women and dirty-looking kids at her hotel all day. And they don't like it. The landlord complained to me only this morning."

"I know, I know," smiled the young German. "But disser is der cidy where she lift when she vos a poor girl; she haf a good heart and neffer, neffer vill she forged der old peoples dot she vonce knew, or *die Kinder*."

"She's hard to manage," said the other with a shake of the head, "and she's got an awful temper, when you once get her going."

"It is so mit all true genius: Und der star vos a great artist—ah! so great as neffer vos before! If all der ladies mit der gompany vos half so goot mit der work," went on Herr Wolfe, running his long supple fingers through his flaxen hair, "I vould haf me no droubles—none at all."

"Oh, of course she's perfect to you. But *I'm* not engaged to marry her, you see. That makes a difference."

Herr Wolfe blushed and changed the subject, while Riley winked sagely at Hopkins.

"Dere vos der Fräulein Einrichs," said the young composer. "Look at her. She haf a voice—*Ach Gott*, it is beautiful! But she can not act! She haf not der fire got; she is as colt as ice, yet. My

great love scene vill be noddings, der vay she vill act it. Und it haf my best music in it."

"I'd roast her," advised the little man.

"Dot vould make it worse; if I scolded her, she'd go by pieces in der scene. Vonce more ven *Rudolph* brotests his untying devotion she must act like a vomans, und not like a bag of shafings."

From somewhere in the dim depths of the place a beautiful voice arose in a ringing rush of music; Herr Wolfe's eyes sparkled.

"You hear her! Vos dere effer such a voice as Fräulein Deeever's? Und she acts as well as she sings. *She* vill do me credit—but der odder—" and he gestured his despair.

The boy in the gilt buttons and red jacket now returned.

"Miss Deeever will see the gents," he announced with a sarcasm that was not lost upon Riley. "This way, please."

As they followed him through a maze of trunks and properties, Riley inquired:

"Say, do you always wear that coat?"

"When I'm working I do," answered the boy, defiantly.

"It's a hot garment all right," Riley assured him. "Ain't it, Hoppy?"

His friend agreed with this cordially.

"If he'd get away down there among them sceneries and hold his arms out," he suggested, "he'd look like a red shirt hanging on a line."

"You think you're kidders, don't you?" sneered the call-boy. He paused and rapped loudly on a door, glowering over his shoulder all the time. "I'll bet you've got mustard plasters on you to make you smart."

Riley seemed hugely pleased at the evident resentment of their conductor; but before he could reply a voice called:

"Come in!"

Then they stood in the singer's presence, with the door closed behind them. The room was painted a dead white and glared with incandescent lamps. Miss Deeever sat at her dressing-table, her

back toward them; she gazed interestedly into a big mirror framed with lights, and added a touch of color beneath her eyes.

She was *en déshabille*; her broad, beautiful shoulders and rounded arms gleamed white as milk in the flood of light; her mass of coppery hair was gathered in a knot at her neck. Beside the dressing-table sat Tess Daily; there was wide admiration in the little girl's eyes as they feasted upon the glories of the singer, and her hands were tightly clasped like those of a devotee.



THE BOYS WATCHED HER SWING GAILY ALONG
THE SUNLIT STREET

"Is that Jimmie Riley?" asked Miss Deeвер. She did not turn, but carefully smoothed out the rouge and examined its effect critically.

"Yes'm," answered Riley.

"I'll look at you in a minute."

The brilliant room and the glittering stage dresses hanging about filled the boys with wonder; then the stalwart splendor of the star caught Riley's eyes.

"Gee," he exclaimed, behind his hand to Hopkins, "she looks like a welter-weight, don't she?"

Low as his voice was pitched, Miss Deeвер caught the words; she whirled about, her white teeth gleaming, her fine eyes dancing.

"Jimmie Riley, you little imp, I knew you'd grow up like that," she cried, sweeping him with an appreciative glance. "How is your mother?"

"Pretty well, thank you," said Riley; and then added by way of an introduction: "This is Charlie Hopkins."

Miss Deeвер arose to her superb height, and bowed gravely.

"I am pleased to meet Mr. Hopkins," she said. "And now you'll pardon me for a minute, won't you?"

She disappeared into an adjoining room in a whirl of white; and Tess said in tones of rapture:

"Ain't she just grand!"

"Fine!" exclaimed Hopkins with a promptness that made Riley grin.

"But she ain't got it on Kennedy's cousin, though," he protested.

"Yes she has," announced the traitor calmly; "she's got it on her ten different ways."

When Miss Deeвер returned she wore the shining armor of the "Rhine Maiden," upon her head was a winged helmet, and in her hand she carried a spear. She looked very big and handsome as she stood there, drawing on her gauntlets and questioning the callers about the persons she had known in the old days. Then the call-boy knocked and announced the last act.

"I must say good-by, kiddies," she said. "You see, this is a dress rehearsal, and I must be very prompt."

But Riley and Hopkins went with her toward the entrance; and they told her of their predicament with regard to the Fourth's exhibition.

"Oh, the artful little villains!" she cried indignantly, when the doings of Martin and Kennedy were made known to her. Then swiftly: "Jimmie, would you like to have me sing for you that day?"

"I thought maybe you would," said Riley.

"I will," she said, impulsively, "and so shall Einrichs and Naveratsky, our tenor—so shall they all when I tell them about it. And Ludwig shall play his violin." She smiled radiantly and her eyes grew soft as she said this. "You never heard Herr Wolfe play the violin, did you, Jimmie? No, I suppose not. But you shall that day; and it is very beautiful." She turned suddenly toward the greenroom door—the house was an old one and still had a greenroom—adding, "Come, I'll speak to him now."

She threw open the door—and then stood like stone on the threshold. Herr Wolfe was there. But so was the brilliant-eyed Fräulein Einrichs. His arms were about her; her long, unbound chestnut hair flowed over his breast; he was looking into her eyes.

What followed was like a nightmare to Riley and Hopkins. They saw a storming figure in armor which had blazing eyes and a scorching tongue; they saw a mild, blond young man gesticulating and endeavoring to explain in a frantic mixture of German and English; they also saw the tear-stained, frightened face of Fräulein Einrichs as she crouched in a far corner, mute and wide-eyed. But they did not grasp the meaning of it all until they were on the way home; then they discussed it from beginning to end and gradually came to see the truth.

"She's engaged to Mr. Wolfe," said Riley, "and she got mad that way when she saw him hugging the other lady."

Hopkins' expression of indignant virtue was a thing to see.

"What was he doing it for?" he demanded, heatedly.

"He was showing the lady how to make love," explained Riley, calmly. "Don't you remember what he said to the man at the door as we went in? She didn't know how, and he was a-showing her. It wasn't real at all."

"Gee!" said Hopkins, as the wisdom of Riley slowly sunk in.

They met Tess on the way to school next morning and she had bad news.

"Ain't it awful!" she said. "Dearie has left the company. She will never, never sing for Mr. Wolfe again. I heard her say so when she came back to her room, ever so many times. And she's not engaged to him any more. I saw



A BRISK LITTLE MAN IN A GREAT DEAL OF COLLAR AND CUFFS

her take off his ring and throw it on the floor and cry."

The afternoon papers said pretty much the same thing, as far as Miss Deever's desertion of the "Rhine Maiden" was concerned. Regarding the cause of it, however, they seemed to have no information. The production of the opera

had been postponed. Herr Wolfe was in a frenzy. Miss Deever was locked up in her apartments at the Carrington, resolutely declining to see any one.

"We know," said Hopkins, as they finished the article in the school yard that afternoon, "and it's us to go around where she lives and tell her how it was."

"No it ain't," declared Riley. "When she won't listen to Herr Wolfe and the manager, do you think she'd listen to kids like us? She'd put up number twenty-three on us and tell us to skiddoo in a hurry!"

"Then what will we do?"

"I've got a scheme," said Riley.

Hopkins looked interested.

"Is it good?" he asked.

"Fine. Wait till I hand it to you."

Riley took a small, pudgy book from his pocket; it was bound in broken, discolored boards, but he handled it as though it was a thing of exceeding worth.

"This," said he, "is the Shakespeare I told you to read."

"The one where the man seen his father's ghost?"

"Yes; and his father was murdered."

"Was he, though?" Hopkins' interest increased visibly; he regarded the volume with awe.

"The ghost said so," answered Riley, as he thumbed his way through the pages. "He told Hamlet about it when he seen him on the battlements."

"What's battlements?"

Riley considered.

"They're places where they have battles," said he learnedly, at length. "Every castle had 'em."

Then he pointed out a scene in the play.

"I had this picked out to start practising next Monday night," he continued. "I thought that some Shakespeare stuff would make good with Father Augustine."

Hopkins looked earnestly at the small, type-crowded page; but he failed to

gather much from the examination and was silent.

"Hamlet gets a hunch that it was his uncle that poisoned his father," explained Riley, carefully, "and he frames up a scheme to find out for sure. He gets some actors to play the murder just like the ghost told him it happened. Then he invites his uncle to come and look it over. And all the time Hamlet is watching him to see if he looks like as if he done it."

"That was immense!" admired Hopkins.

"Sure it was, and that's what we're going to do at our show. Nora Deever is out of a job, and she's told Mr. Wolfe to beat it. It's just through trying to do us a favor, ain't it?"

Hopkins nodded.

"Well, it's us to fix it up. We'll play it all on the stage just as it happened; Nora will be there, and she'll see then how it happened."

"But couldn't we go and tell her, or write her a letter?" persisted Hopkins.

Riley froze him with the contempt of an outraged dramatist.

"Gee, you're a dead one, sometimes," said he.

That evening Riley closed himself up in a telephone booth at the corner drug store and rung up the distracted Herr Wolfe, to whom he explained his plan. The young German grasped at the novelty of the idea and eagerly agreed. But his business manager was with him at the time—he of the collars and cuffs—and he sagely demanded to know all the possibilities of the plan.

The little man had had years of experience with *prima donnas*; he felt confident that the auburn-tressed Miss Deever would only be rendered the more furious if approached again in the conventional manner; he had stood amid the scattering sparks of her temper too often to lack conviction on that point.

He had been at the "front of the house" too long not to have a great con-

tempt for theatrical device; but he knew that Dearie Deever had the dramatic instinct strongly developed and felt positive that Riley's proposition would appeal to her as nothing else possibly could. So at length he said:

"All right; you're a wise one, sonny, and your talk sounds good. Come to the hotel to-morrow and we'll look deeper into it."

The result of the interview at the hotel was that Herr Wolfe promised to lend his orchestra and his most noted singers to enrich Riley's program; and Riley immediately began his preparations.

The great day came at last and the school hall was crowded to the doors with the élite of the parish. No program was handed out, and those members of the Fourth who were not to take part in Riley's performance were gathered, with slates and books, in a passage just off the stage, excitedly discussing the outlook.

"It's going to be a shine," maintained Martin. "Just you see if I ain't right. That kid, Riley, can't get nobody."

The group here split in the center to permit Riley and Hopkins to pass through. A tall young lady, with a superb air, accompanied them; the boys caught a gleam of coppery hair, a glimpse of an elaborate gown and a flash of dazzling teeth, as Hopkins conducted her to her apartment. Riley remained behind.

"She sings," said he, in answer to Martin's unspoken query. "Did you see the roll of music? She sings."

Through the window they saw a file of men drop from a passing street car; each carried a shrouded shape, and all entered the hall.

"Is it a band?" asked Kennedy.

"It's a band," Riley answered. "Do they look good to you?"

"Pretty fair," Kennedy admitted.

A little later Father Augustine came into the passage with Miss Deever.

Riley, Hopkins and their players were in one of the rooms above, making up.

"It was very kind of you," the Father was saying, "very kind, indeed. Master Riley is resourceful. I can see that."

Miss Deever was inhaling the fragrance from the hearts of a great bunch of American Beauties which Riley had silently given her as she came in; the long green stems lay across her breast; her smiling face was partly hidden among the flushed blooms. Just then the orchestra began to play; it was a swift, swinging melody rendered with precision, grace and understanding; instantly the smile vanished from Miss Deever's face, her head went up, a stormy look came into her eyes.

It was the overture from "The Rhine Maiden"; the selection itself and the smoothness of its execution could only mean one thing to the *prima donna*—the presence of Herr Wolfe. But before she could make sure, Brother Clement gave the word, the class in arithmetic occupied the stage, the curtain ascended and they at once plunged into a display of the ease and proficiency with which they could master the problems presented.

As Riley and his gallant band came down the staircase, attired in their cloaks and gauds, with varicolored wigs and lengthy rapiers, Tess met them with alarmed eyes.

"Dearie's awful mad!" she whispered, nodding toward the superb, white-clad girl at the far end of the passage. Riley gave one look at the high-held head and the cheeks as crimson as the flush of roses at her breast.

"What's the matter?" he asked, anxiously.

"They played some music from Mr. Wolfe's opera," answered Tess, "and, oh! how Dearie does *hate* it."

Riley looked at Hopkins with an expression of great pathos.

"Ain't some people the limit?" he demanded. "Just as if there wasn't lots of music that wouldn't put her on."

"I hope we don't fall down," prayed Hopkins, fervently. "If she don't sing—"

"You shut up," cried Riley, fiercely. "Don't we do our stunt next? And ain't that going to fix it all right?"

Father Augustine smiled as he caught sight of the bald poll of *Polonius*, the somber trappings of *Hamlet* and the lofty majesty of Denmark's king, advancing toward them, down the passage. But Miss Deever did not smile. She looked at Riley with cold displeasure.

"Jimmie," she said, "what music was that I just heard?"

"The orchestra, I guess," evaded Riley, with instinctive swiftness.

Her look grew colder; those about saw that something was wrong and gave their entire attention to the two. But before Miss Deever could speak, a little door leading to the auditorium was pushed open and Herr Wolfe, flushed and eager, entered, his violin under his arm. He had tried his best to hold his place as instructed, but the temptation had been too great. Riley was the first one he saw; the bulky form of Father Augustine was between him and the singer.

"She is here—yes?" he breathed excitedly. "Und you give her der roses from me?"

There was a gasp, a flashing of eyes, a scattering of flowers over the floor. White with anger, Miss Deever was saying:

"Tessie, my cloak. And, Father, if you will have my carriage called, I shall be obliged to you."

As the class in arithmetic streamed from the stage they saw a small, pleading group around an erect, furious girl whose coppery hair seemed to spark with anger. They also saw the long, disordered, blond locks of Herr Wolfe and heard the torrent of gutturals which his despair drew from him.

"Don't go, Dearie," pleaded Tess, "and please don't be angry."

"If you don't stay you'll spoil it all," said Riley desperately, for he knew that Herr Wolfe's interest in the proceeding would end with her departure and that the withdrawal of the orchestra and the other singers who still sat "in front" would probably follow.

"Do you deserve anything else, Jimmie?" asked Miss Deever, coldly and quietly.

"Yes, I do!" boldly. "I done this as much for you as for myself; didn't I, Tess?"

"Oh, he did, Dearie," sobbed Tess.

"And if you go away without seeing what's doing," continued Riley, "you'll be sorry; that's all."

There was something in his voice and manner that made Miss Deever study him intently for an instant. Then:

"Very well. If you'll get me a chair, Jimmie, I'll stay."

She sat at the first entrance with a gaping, wonder-thrilled throng of boys about her; Herr Wolfe she ignored entirely.

"It's us to make good now," whispered Riley to his players. Then he urged the young musician back to his post; when the music struck up he resumed: "*Hamlet* and the other one to go ahead and tell it to them."

A solemn visaged and somber clad *Hamlet* stalked upon the stage, followed by a nervous *Horatio*. A titter ran through the hall; Herr Wolfe sat with his violin between his knees; his face was like stone, but his eyes gleamed through his spectacles with hot anxiety.

Speaking to the house, but addressing his friend, *Hamlet* announced:

"There is a play to-night before the king;

One scene of it comes near the circumstance

Which I have told thee of my father's death: . . .

Observe mine uncle. . . . Give him heedful note;



THERE WAS A GASP, A FLASHING OF EYES, A SCATTERING OF FLOWERS OVER THE FLOOR

For I mine eyes will rivet to his face;
And, after, we will both our judgments
join
In censure of his seeming.' "

Here the stage directions called for a flourish of trumpets; the cornetist did his duty well, and Hopkins, attired in the royal robe and tinsel crown of the guilty *Claudius*, together with the remainder of the characters, entered with as much dignity as possible. The scene progressed as far as:

"For O, for O, the hobby horse is forgot."

Then a curtain at the back of the

stage was drawn aside, and Tess as the "Player Queen" and Riley as the "Player King" entered "very lovingly," as the play book demands. She protested her devotion in dumb show, which he accepted most graciously, and proceeded to fall asleep; then the queen calmly poured poison in his ear. At this point the Royal Court of Denmark leaped to its feet; *Hamlet*, with stiff majesty, took the center of the stage, and declaimed in a high voice:

"Away with Gonzago and this murderous deed,
Give us the other matter—"

Here every character lifted its right

hand, pointing at Miss Deever, just off the stage, and in chorus they finished with the Prince, meaningly:

"And give *you* heed!"

As Riley slipped with Tess from the little stage, he felt that it was a dramatic moment. Before the audience recovered from its surprise, a boy in a blond wig and big spectacles paced forth. He carried a violin, and a murmur went up as all recognized the presentment of Herr Wolfe. From his pocket he took a photograph of Miss Deever and held it aloft, so that all, and particularly Miss Deever, could see it. Then he kissed it fervently.

Herr Wolfe slowly turned a deep red; Miss Deever leaned suddenly forward in her chair and watched eagerly.

Step by step the happenings of that day at the opera house were followed; it was all pantomime, but it was played with spirit and earnestness. When the mimic Herr Wolfe, upon one side of a screen, his manuscript in his hand, began to plead with the Fräulein Einrichs to act with more fire, a light of understanding crept into the watching singer's eyes; but when Tess Daily in a winged helmet threw down the screen and began to storm in dumb show, Miss Deever threw herself back in her chair and burst into a ringing laugh.

"The little imps," she gasped; "the cleverness of them!"

Something of the rupture between the songstress and her lover had finally leaked out by means of an enterprising newspaper; so the audience grasped the meaning of it all at about the same time as the girl; and as the players disap-

peared behind the falling curtain, a storm of applause burst forth.

Riley rushed up to Miss Deever.

"Nora," he asked, "do you sing?"

"Jimmie," she said, "I sing; and I thank you."

Like lightning the news was carried to Herr Wolfe; with blazing eyes he rapped sharply upon the music stand with his baton, and the instruments began to throb through the beautiful waltz song from Act One of the "Rhine Maiden"—Miss Deever's favorite of all her numbers. Then she swept upon the stage, tall, magnificently dressed, superb in bearing, her coppery hair glinting under the lights; the strained, anxious look vanished from the face of Herr Wolfe as he caught the flashing, wondrous smile that was meant for him alone.

But Fräulein Einrichs and the great tenor Naveratsky, who sat in the front row, together with some of the other members of the "Rhine Maiden" Company, saw the smile and understood the forgiveness that went with it. And as the beautiful voice arose in the opening notes, Riley, in the first entrance, grinned triumphantly at Martin and Kennedy, who stood near.

"There are six others, pretty near as good as her, to do a turn each," he stated grandly. "And Mr. Wolfe says it would cost about a thousand dollars to get 'em to sing any place else."

Hopkins laid aside his kingly crown and wiped some of the grease paint from his brow.

"I think you've got the last show faded, just like you said you would," he remarked, admiringly.

"Me, too," said Riley.



FACT AND FAITH

By BENJ S. PARKER

THE withered leaf, the faded flower,
The narrowed day, the meadow brown,
The biting frost, the icy shower,
The blast that shakes dead branches down,
Announce the funeral of the year;
But, in the season's parting glow,
New buds upon the twigs appear
While seeds of beauty hide below.

They sleep, awaiting spring's warm touch
To thrill their hearts and set them free
From winter's hard, benumbing clutch,
To life's new birth of ecstasy—
For balmy airs and skies that smile
When homing birds, on welcome wings,
From tropic bower and sunny isle
Return to old, familiar things.

.
When, soon or late, our seasons pass,
To bloom no more, seeds we have sown,
As noisome weeds, or grain or grass,
Men's eyes may see, but not our own;
But wherefore murmur? God is good,
The fault is ours if ill have way;
With life, howe'er misunderstood,
We shall have fared and had our day.

From cradled bud to withered age
Life has been sweet, and, in its leas,
Lord, for its passing heritage,
We thank Thee on the spirit's knees;
Whate'er for us the future holds
Of pain or bliss or mystery,
As life to greater life unfolds,
Were better trusted all to Thee.

THE TOY-SHOP—A FABLE

By HENRIETTA DUNLAP



WAS a delightful toy-shop, full of all sorts of tricksome things—dolls for the girls, guns for the boys and rattles for the babies. And everything was a different color from everything else, while some things were in spots a different color from themselves in other spots. Surely the end of the rainbow was in that toy-shop, and what one found there was better than a pot of gold.

As the front door opened a bell jangled gaily, quite in an old-fashioned manner. A stooped old crone came out of the room in the rear of the shop. She had iron-gray curls and spectacles, and wore a little gray cape over her shoulders, and walked with a cane, quite like a picture-book grandmother.

She stopped short and smiled at sight of her small customer. "How do you do?" she said. "I suppose you have one penny to spend and know exactly what you want for it," for it was a man-child.

"Yes, I want a jumping-jack," answered the miniature man.

"A jumping-jack? What kind of a jumping-jack? Would you like a lady

jumping-jack? They are the very latest thing."

"I should like to see one first," said the small boy cautiously.

"We have two styles. This style, you notice, is very strongly made. It is of very good quality wood and warranted to wear well. The paint will not lick off. This other, you will observe, is a very flimsy affair, a tawdry gewgaw, not worth considering. Shall I wrap up a Style Number One?"

"No, thank you," said the small boy. "I'd rather have the other kind."

"But it's not half so much for the money!" said the old crone, astonished.

"I know, but it's pretty."

"It won't last half so long!"

"I know, but it's pretty."

"Oh, very well, it's your penny," said the old lady in a huff, as she wrapped up the parcel with a vicious jerk.

The bell jangled again as the little boy went out, tearing the wrapping from the beautiful lady jumping-jack. The old crone took up the despised, strong, reliable, well-painted wooden thing and held it close for a moment.

"It's a pity to last too long," she said.

VICTORY

By LOUISE AYRES GARNETT

I met a kingly figure on the road,
The cool, green road of Peace that has no end.
I asked with eager haste, "Who art thou? Speak!"
He answered, "I am Grief Endured, thy friend."

MEN
WOMEN AND
AFFAIRS

OUR OWN TIMES

BOOKS
THE ARTS AND
THE DRAMA

PROFESSOR Frederick Starr, of the University of Chicago, after spending a year in the Congo, has returned with the conviction that the American agitation on the subject of the tyrannies exercised by King Leopold, of Belgium, is excessively exaggerated. He confesses that he witnessed floggings, saw chain-gangs, prisons, and a few mutilations, "but at no time and at no place were they so flagrant as to force themselves upon the attention. And of frightful outrages," he continues, "such as I expected to meet everywhere, I may almost say that there was nothing." And he adds, "I found at many places a condition of the negro population far happier than I had dreamed it possible. I saw hundreds of natives who were working happily, living in good houses, dressing in good clothes of European stuff and pattern, and saving property. And now, after my return, after having many of my preconceived ideas completely shattered, and feeling that on the whole things in the Congoland are not so bad, and that improvement is the order of the day, I am startled to find the greatest excitement, vigorous resolutions presented in the Senate, and the President of the United States outrunning his most urgent supporters and advisers, ready to take drastic action to ameliorate the conditions of the suffering millions in the Congo state." He inquires: "What is the motive underlying the bitter attack upon Leopold and the Free State which he established? Is it truly humanitarian? Or are the laudable impulses and praiseworthy sympathies of two great people being used for hidden and sinister ends of politics?"

This last suggestion is hardly tenable. The movement in England and America to protect the Congo from the rapacity and alleged brutality of the rubber company is prompted by humanitarianism and has appealed to a large class of sympathetic peo-

ple, who feel that cruelties shown to the lower groups of human beings are particularly atrocious. To acts of injustice or cruelty directed against the members of their own race they might find themselves able to take a more philosophic view, feeling that these possessed powers of resistance and pugnacity which mitigated their pitifulness. But when they see the members of one of the childlike races suffering oppression, their chivalry rises in revolt. Then, when they have effected an organization of protest, and have incited each other to indignation, it is almost inevitable that they should begin to exaggerate the conditions which they deplore—and which, little by little, they make a profession of deploring. Their benevolence brings them into enviable prominence. They begin to prize in themselves those qualities of compassion, eloquence and execution which have been developed by the circumstances. Unconsciously their vanity is fed as they find the public identifying their names with these celebrated benevolences, and almost before they are aware of it their impulses have solidified into avocations. They belong to a cult. And presently every force that social environment, literary publicity, charity organization and personal responsibility can create, have united to make of them public agitators. Now a public agitator is like every other man. He does not like to lose his job. And he wishes to justify himself by an aggressive and obvious business. This is the psychology of the Congo matter—it is no more occult or cryptic than just that. If Leo of Belgium had caused to be killed in a decade as many men, women and children as our railroads kill with their criminal negligence in six months, the powers of Christendom would unite to drive him from his throne. But concerning the flagrant abuses in our own land we are complaisant or patient. This is nothing against the

Congo Society. It does right to look into the case of these more or less helpless blacks. But it explains the undue prominence which has been given to an abuse, and the exaggerations of the enormity of the rule of Leo and his rubber company.



A STREET SCENE IN COSMOPOLITAN NEW YORK

A Chinese fortune-teller in "Chinatown"

ON January 15th the mercury stood at Havre, Montana, at 38° below zero; at Devil's Lake, N. D., at 32° below; at Williston, 30° below. A cold wave was predicted at St. Paul. At Salt Lake there was a fuel famine, and a twenty-degree fall in temperature was forecasted. Kansas was swept by a blizzard. Railways were making desperate efforts to move emergency fuel trains. Senator Hansbrough said in Washington that a private letter from Minot, N.

D., reported the freezing to death of two women, whose deaths had not been mentioned by the press. Thirty below zero would bring New York, with all her fuel and associated charities, to the verge of collapse. It would be heralded as a national calamity. But let us look for a moment at the newly-settled portions of the West—such as surround Minot and Williston. They have been settled within the past five years; prior to that time they were cattle ranges. The great railways have had immigration departments co-operating with land agents in offering inducements to settlers, and the cheap land has been an irresistible lure to a land-hungry people. The country is absolutely bare of building material, and many of the houses are flimsily built. There are no trees, and the winds are furious. The snow has been deep. The only thing standing between the isolated settler and death by freezing is the little coal fire in the stove. For the fuel to keep this going he is absolutely dependent on the railways. The railways have failed to bring in the fuel, and all this winter these regions have suffered the terrible rigors of a fuel famine. When the news is all in, the record of death and suffering and disease among the isolated families of these plains will be found a most ghastly one. The men to whom we as a nation have turned over the work of carrying on the transportation lines upon which these people must depend are James J. Hill and Edward H. Harriman. We have heard many excuses for the failure, but we have had no denial that they have failed. As a nation we should feel ashamed that we have allowed the agencies of transportation to break down in such utter collapse.

WE used to point with mixed derision and fear at the Populists. They represented unrest, mere protest, pessimism, lack of faith in American institutions, the setting of class against class. There were few things too condemnatory for most of us to say about the party of Kyle, Peffer and Tom Watson. About the same time we used to get confused when Henry George was mentioned, because we couldn't quite differentiate him from Johann Most. Populism, however, could not have been very absurd, or else we are all going mad together in this year of 1907. A member of the party

of protest and whiskers out in Nebraska recently attended a Republican convention, in which he was entitled to a seat by reason of having been won back to Republicanism by Roosevelt. He presented a set of resolutions which so well expressed the Nebraska conception of progressive Republicanism that they passed with enthusiastic cheers. It was subsequently found out that the old deceiver had cut out the money planks from the Ocala platform—the fundamental law of Populism—and that the rest of it was accepted as good administration gospel. Perhaps we said too many bitter things about Pefferism. Maybe we should have studied it a little instead. And Henry George—why, the liberal party went into power on the principle of the rating of land values, exclusive of improvements, in the last British elections. Moreover, Campbell-Bannerman, having got in, sticks to the statement that such land-value taxation is a part of the ministerial program, and gives Georgite reasons for it. The fact seems to be that political opinions are moving so fast that we see the economic landscape in a blur, and the things we used to shy at we now pass so swiftly that we do not recognize them as the bogies they used to be.

THE friends of the Jew in London are talking of establishing an aid department at Galveston, Texas, for the purpose of inducing Jewish immigrants to take up homes in the western section of the country, instead of concentrating in the overcrowded settlements of the eastern coast cities. Six hundred thousand dollars has already been contributed to this end.

The chief idea has been to relieve the congestion in the New York Ghetto, where conditions grow yearly more serious. Indeed, the congested mass there has broken bounds and is rapidly spreading, carrying with it everywhere the conditions that have made the East Side a spectacle for the New World. But the older inhabitants of this American Ghetto have felt the yeast of the Republic stirring in them, and they are willing, many of them, to leave the ferment of their Jewish community for distant and lonelier places, providing their condition can be improved. This argues a good deal for their increasing social courage, for hitherto it has been instinctive with these people to herd together

and to compensate themselves for their lost homes and broken family relations with the intimate and exciting associations of crowded neighborhoods, where hardly a day passes without some spectacular event, and where the mere mass gives a sense of amalgamation and a community of feeling.

The Texas project does not include colonization. The idea will be to guide the Jew to his government holding, or to the purchase of his farm, to assist him in every possible way by acquainting him with the needed machinery and ways of procuring it, the proper crops to plant, the best and most inexpensive houses to build, and the methods for tilling the soil he has secured. If his tastes run in other than agricultural lines,



"REGULARLY INSPECTED"

The front of a typical "fireproof" fire trap. About five hundred men, women and children inhabit this six-story building

advice and direction will be given him according to his needs.

In this connection it may be stated that, contrary to popular opinion, the average of early marriages among Jews is less than that among Gentiles, and also that it is erroneous to suppose the Jew to be more prolific than

the Gentile. Dr. Fishberg, writing in the *Popular Science Monthly*, asserts that in Prussia, Bavaria and Bohemia the Jewish birth-rate is only one-half of the Christian birth-rate. Moreover, Dr. Fishberg finds mixed marriages to be rapidly increasing. He quotes figures which show that in Copenhagen, from 1880 to 1903, for every one hundred pure Jewish marriages there were sixty-five mixed marriages. Further figures show the mixed marriages to be increasing in all European countries. And it is a well-known fact that in America mixed marriages have become so common that conservative rabbis have inveighed against them in the synagogues.

This conservatism is not, however, in line with the sentiment of the Americanized Jew. His loyalty to old observances is passing. He is becoming more of an individualist than he was, and the gloomy inheritance which was his is losing its hold over him. The American Jew is here in vast numbers, but his instinct is to make a good citizen of himself, and influences are at work, chiefly in New York, but to some extent in other cities, to assist him to this end. It will be better for him and better for the country in general if he is led from the districts of appalling congestion in the cities to the untenanted and undeveloped territory in the South and the West.

It is greatly to the credit of the Jewish race that the efforts that are being made to teach the fresh Jewish immigrant his lesson in Americanism are by men such as Blaustein, Zangwill and Fishberg—Jews of broad sympathies and progressive principles.

IT is estimated that a professional man in Japan can live, with his wife, in comfort on the sum of two hundred and fifty dollars. This means one large divisible apartment, a small kitchen, a bath room, a study and a store room; a charming garden, one servant, and surroundings of great refinement. Mats are the covering of the floor, of course; pillows the seats; table linen is superfluous where lacquered trays and paper napkins are used; personal laundry is at its minimum where two hot baths a day are the custom. The faggots used in cooking are not much larger than a man's finger, and fuel for ironing is unnecessary where clothes are stretched properly upon a frame. Perfect

privacy is one of the luxuries of this minute menage, for a high bamboo fence shuts off the view of strangers. Each article of the house is carefully selected, and some of them are of rare beauty and of a durability that permits them to be handed on from one generation to another. No waste takes place, for every crumb of the food prepared is eaten. Flowers are the chief decoration, and the science of flowers is a part of the accomplishments of the lady of the house. The large room, with its several mats and its adjustable partitions, becomes at night-time the sleeping place of the several members of the house, but during the day quickly is converted into a spacious, peaceful, flower-decorated apartment, the bed clothes being laid away neatly on the shelf of the store room. Simplicity, delicacy and refinement characterize homes of these qualities—the homes of the poor who feel no poverty—the abodes of those who, having little, would not complain had they even less.

CONGRESS is in session. We have had an election, and a new congress has been chosen—but it is the old that is doing business. In any of the European governments it would be the new legislature which would meet when the balloting was over. Here we wait the better part of a year, and give the rejected candidates a chance to act after they have been discredited by defeat. Had every member of the present congress been retired to private life, still they would meet and make laws.

HASTY judgment is one of our chief national faults. It is common to all classes—to the mob that hangs its protesting victim to the nearest telegraph pole; to the sentimentalists who must indulge their compassion at the expense of justice; to the newspapers which must report an event with the facts half learned or in part anticipated; and to those in authority, who feel it incumbent upon them to make public their mere impressions on matters of the gravest importance.

An instance of this snapshot judgment was the scathing report made by Mr. Bigelow on the Panama canal, after twenty-eight hours' stay on the isthmus. President Roosevelt furnished another instance of it when he answered Mr. Bigelow without first-hand



Drawing by Homer McKee

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"AN OLD SWEETHEART OF MINE"

knowledge of the facts, and again when he wrote what is practically a book after a four days' visit there, a good share of which time was spent in social amenities. The President provided yet another instance when he dismissed the negro soldiers at Brownsville without trial; and that his natural indignation at the criminal irresponsibility of those soldiers tempted him to hasty and unconstitutional action is evidenced by his retraction of that part of the sentence which deprived these men of the right to hold federal office. Even Mr. Roosevelt's friends think he was precipitate in adopting the reformed spelling, and that he has committed himself to a literary policy which will prove embarrassing. With such an example of impulse in the White House, it is not surprising that others should act without due deliberation. There is, for example, Mr. Clark Howell, editor of the *Atlanta Constitution*. He, after a few days' stay in Havana, announces oracularly that some sort of protectorate by us is absolutely necessary in Cuba. It is not likely that he has had the assistance of the Cuban men of affairs in reaching this conclusion. In all probability he has chiefly conversed with the Americans there whose interests would be served by permanent dominance of America over Cuba—the same class of Americans who disgusted Mr. Taft during his recent stay in Havana by continually saying to him, "Now's the time, to grab Cuba," and who were angry when he refused to act on their suggestion.

Mr. Howell and all other non-residents of Cuba would do well to leave that perplexed island to the direction of its own native leaders and the supervision of such men as Taft, who have the ability and the inclination to count the cost of national impulsiveness.

ERRORS in the formation of institutions make the tragedies of history. Nature never forgives; and the growth of institutions is a part of nature's work as surely as the growth of a tree. Long ago the error prevailed that the church and the state ought to be one, and all the great cathedrals and monasteries of France, as well as other countries, were built as public enterprises. The church was in politics, and failed to exert itself in the way of so applying the truths of Christianity as to prevent the despoiling of the masses of France by the

aristocracy, and in an agony that was no longer to be endured the people rose in the revolution, and both aristocracy and the church hierarchy, which had been its bulwark, went down in blood and fire. In throwing away its faith in the church France renounced God also. Democracy and religion parted company then and there. Faith, however, is so a part of human nature that the church came back, and in the concordat of 1801 a *modus vivendi* was agreed upon by which the nation and the church were to live together in future. But the church was unable to adopt the divine truths of the French Revolution; and the democracy could not assimilate the divine truths of the church. So France hobbled on, with its body of truth parceled out in two hostile camps. The church was never loyal to the republic, as it has been in America, and in its long struggle for the democratization of its government France has had to reckon with the church as the great reactionary force. So the democracy expelled the Jesuits, and suppressed the teaching orders, and abrogated the concordat, and is drawing the restriction closer and closer in the use of church property, the title of which is claimed by the state. It is all the result of the old error of the union of church and state. The dominant note of recent thought is a revulsion from materialism, a faith in the oncoming reign of love and brotherhood through democracy. Democracy is coming to be recognized as the central truth of Christianity. Faith in Christianity and faith in democracy will not always remain apart in France or anywhere else. One side or the other will get a grasp upon the whole truth, and that side will triumph.

THE experiment in subsidized theatricals in Chicago has proved a failure, and the New Theater, as it was called, has been closed. The backers became weary of supplying funds to meet a perpetual deficit, the audiences grew smaller and smaller as one ill-chosen play after another was placed on the boards and presented in an amateurish manner, and the actors were more and more depressed as the inevitable failure was indicated by the almost empty houses. So the first experiment in co-operative dramatic uplift in the western metropolis has reached an ignominious period. This unhappy outcome,

however, does not prove the people unready for the "elevated" stage, or unappreciative of intellectual plays.

The New Theater made, at the beginning, the mistake of conveying the impression that it was to be a sort of private theatrical club. The advertisements conveyed the impression that there were but a handful of season tickets remaining after the first enthusiastic appropriation by the favored stockholders. The popular interest in the venture was thus discounted at the outset. The plays put on were positively irritating in their failure to strike the dramatic taste. Obsolete farce, feeble comedy, base realism, inapplicable to American life, cheap melodrama and distinguished literary dramas had their turn. This foolish melange failed to establish any policy for the house and bored the audiences, who found themselves, on the one hand, insufficiently amused, and, on the other, not appreciably uplifted. The actors were amiable, willing, in a number of cases distinctly intelligent and aspiring, but they did not blend well, and they lacked personality and magnetism.

So, for all these reasons, and others, the subsidized theater admits its failure.

"**B**EETHOVEN'S Ninth Symphony is not the highest art," declares Tolstoy, and proceeds to explain why. "Shakespeare is not an artist in the highest sense," he next affirms, and now he is engaged in a consistent effort to pare Shakespeare down to his formula, that formula being that unless there is a religious purpose in art it is worse than no art. In other words, in proportion as a pagan artist has genius is he regrettable—his genius being supreme, he becomes little less than monstrous—a menace to his admirers and a shame to his country.

The objectiveness of Shakespeare's work has never been questioned. The complete subjectiveness of Tolstoy's concept of art is its very core and nucleus. But what Tolstoy does not perceive, and never can perceive, is that the fine and moving paganism of Shakespeare's art is a tonic for the spirit which hardly can be concealed. The impulse is, after seeing one of the greater of the Shakespearean plays, to dramatize one's own life, and no one can do this without wishing to make a hero of himself. The custom which Shakespeare has of reporting the psychology

of his characters by means of soliloquies, revealing the very inner workings and intermingled motives of the mind, induces the listener to examine his own impulses and ideas. It trains his moral ear, so to speak, so that he is on the outlook for discords. If he detects in his own spontaneous processes of thinking that which is ignoble, treacherous, ungenerous, it is his impulse to repudiate it. He casts it from him and refuses to foster it. He weeds the garden of his soul. Thousands living and thousands dead have felt this strengthening influence of William Shakespeare the pagan. He, the objective artist, divorcing himself from all subjective emotion, has played a part in the character building of the world which is immeasurable. The penalties of sin, the self-contempt that follows secret treachery, the poignant pain and soul-shame of him who has misused the privilege of life are set forth in Shakespeare with the relentlessness of an algebraic proposition. It will take a greater man than Tolstoy to convince the world of the deleterious effects of such a man. Grotesquely deficient as he is in dramatic construction, careless as to statement and obscene as he unnecessarily is at times, yet the sheer and entrancing beauty of hundreds of thousands of his lines, and the dignity of his higher characters—a dignity combined with eminent consistency and probability—make him an enduring factor in the higher life of his race—nay, of the world. Tolstoy has never done anything more dangerous to his own reputation as a man of intellectual power than in making this critical attack upon the product of Shakespeare's mind. It convicts him of being the victim of a self-made formula which amounts to an obsession.

AMONG the men of note who recently have concluded their earthly labors is Mr. Ernest H. Crosby, the friend of Tolstoy and the persistent advocate of peace. Mr. Crosby was born in New York fifty years ago, and was graduated first from the New York University and then from the Columbia Law School. He entered political life as a Republican and was associated for several years with Mr. Roosevelt, succeeding him as representative in the State Assembly in 1887. In 1889 President Harrison selected Mr. Crosby for an appointment made by the Khedive of Egypt as Judge of the First In-



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**HARBOR STREET THE PRINCIPAL BUSINESS THOROUGHFARE OF KINGSTON, AFTER
THE EARTHQUAKE OF JANUARY**

In the foreground sit two brothers weeping beside the body of their sister, just taken from the ruins

stance at Alexandria, Egypt. This position might have been retained by Mr. Crosby during his lifetime, but after five years he resigned it, having come under the influence of Count Tolstoy's ideas. He visited the distinguished Russian, laying the foundations for a friendship which was to continue to the end of Mr. Crosby's life, and then returned to America to take up social reform labors.

Mr. Crosby's writings were numerous, among them being "Plain Talk in Psalm and Parable," "Captain Jenks, Hero," a satire on militarism, "Swords and Plowshares," "Tolstoy and His Message," "William Lloyd Garrison, Non-Resident and Abolitionist," "Tolstoy as a Schoolmaster," and "Broadcast."

Mr. Crosby was one of the founders and

the first president of the Social Reform Club, and president of the New York Anti-Imperialist League from 1900 to 1905. He also belonged to the Chamber of Commerce and the Friends of Russian Freedom. He stood, in the end, completely opposed to his one-time associate, President Roosevelt, and was outspoken in his condemnation of the President's policy.

"Mr. Roosevelt," he wrote, previous to the last campaign, "has deliberately made himself the incarnation of the spirit of militarism and imperialism. His idea of national greatness means nothing more than physical strength, and for great ideas he would substitute a big navy. Freedom, equality, justice, must all be subordinated to brute force. The change shows itself already on the sur-



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LOOKING UP KING STREET, TOWARD THE KINGSTON PARISH CHURCH

The wagon just beyond the woman carrying a basket is loaded with dead bodies, the topmost one, an English soldier, burnt completely black

face of life at Washington. Uniforms and brass buttons, new-fangled military escorts, war talk and army manners are gradually making headway there as fast as circumstances will permit. It is the Kaiserism of the German Kaiser which seems to have roused the emulation of our President and his Cabinet, and Kaiserism, with all that word implies—Prussian junkerism, lese-majesty, enormous armaments, and all peaceful pursuits subordinated to military enterprises.”

Whether Mr. Crosby modified his ideas concerning the President after the mediation between Russia and Japan is not known.

THERE is no more arresting spot in all the western continent than Jamaica, the “hateful, beautiful isle,” which has had so tragic a history and been the home of so much romance. Her submerged Port Royal,

whose spires still show beneath the waters of the bay after the passage of two centuries, bears witness to one of the most moving and poetic tragedies of the new world; her ancient and deserted capital of Spanish Town, given over now to long, vacant days of sunshine among its hills; her lost autocracy in the dissolution of a constitutional government which had endured for two hundred years; her fateful history of hurricanes; her inflictions suffered from buccaneers, slave dealers, coolie immigration, leprosy and plague, have seemed to mark her out for sorrow. And now comes her crowning disaster. Her excellent city of Kingston is wrecked; her beautiful white roads ruined; her hill barracks shattered and her governor's palace injured.

When disaster comes to one of our grim American cities it lacks, somehow, a certain poignant feature which accompanies the de-

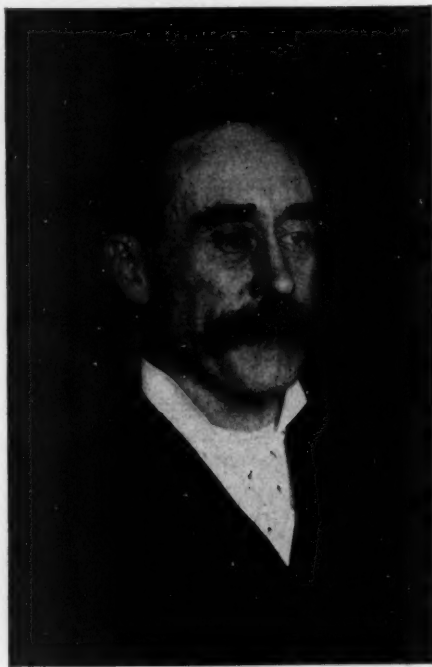


ROSE STAHL AS PATRICIA O'BRIEN
In James Forbes' comedy, "The Chorus Lady"

struction of a city situated in a fair and alluring spot. Nature solicits man with her beauty, and using, it would seem, that beauty for a snare, wrecks him. Yet so infatuate is he that he can not long remain away from the fateful beauty spots. He will build upon the side of Vesuvius, though history tells over and over its sinister tale to him. And he will again erect the city of Kingston, the fated city, which hurricane and cyclone, fire, earthquake and pestilence appear to haunt—and where beauty forever dwells.

FROM time to time we have made note of new dramatists who have succeeded in writing popular American plays. Perhaps it would be best to say American dramatists who have written successful plays. For in no other way would it be possible to be inclusive in our claims. Mr. Bronson Howard has set himself against any deep significance attached to the term American drama, *per se*. However, when one has heard the slang of "The Chorus Lady," it can not be doubt-

ed that Mr. James Forbes, the author, has been very close to American things theatrical. Yet, in a slightly changed form, this very play ran successfully in London. The nature of the chorus girl is practically the same here as there, and the story, whether American or English, has in it a very wide appeal. Mr. Forbes has taken a new stand in his drama; comic operas have never held up the chorus girl to defend her; neither, for that matter, has the legitimate play. Whenever an actress is introduced as a character on the stage, she is drawn in broad colors—loud, flashy, coarse, vulgar. It is true, Mr. Forbes has presented a chorus lady with all the marks of her trade upon her; in figure, pose, jargon, and action, Miss Rose Stahl minutely paints the species—it is a fine bit of acting all through. But Mr. Forbes has given his heroine a sense of right and wrong, has made her represent a class which is subject to insult simply because its members earn a livelihood by song and

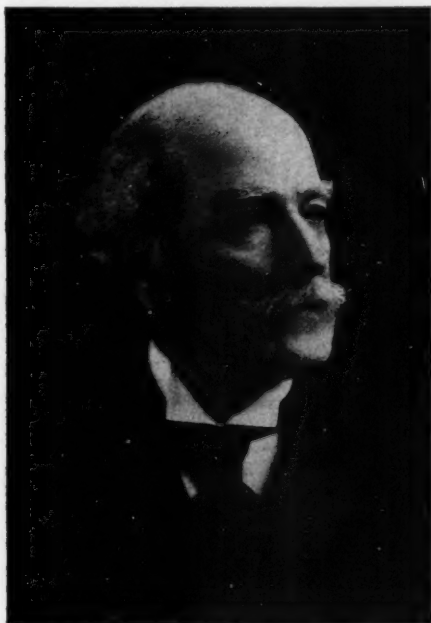


COMMANDER ROBERT E. PEARY, U. S. N.

Whose recent expedition into Arctic regions reached a point only two hundred and three miles from the Pole

dance. "The Chorus Lady" is a plea for the chorus girl—for the unprotected chorus girl. Some weeks ago a special matinee was given to the members of the different musical companies in New York. They saw themselves as others see them. How many of them were awakened to the fact that it is possible for a chorus lady to retain her self-respect, to keep herself unspotted from the world—for that is the purpose of Mr. Forbes's more than clever play?

FOR what will Ethan Allen Hitchcock be remembered? Every one knows the answer: for his fight on the land thieves. Uncle Sam used to have land enough to give us each a farm, but only a pitiful remnant of it now remains. That little, however, is growing rapidly in value, and is well worth guarding from the systematized plunder against which the great secretary has so well fought. Statesmen of the stamp of Senator Clark, of Wyoming, are full of ire because Hitchcock withdrew from the market certain coal and forest reserve lands. Senator



Photograph by Clinedinst, Washington.

ETHAN ALLEN HITCHCOCK
Secretary of the Interior



MME. ALLA NAZIMOVA

The Russian actress, now playing in English versions of Ibsen's "A Doll's House" and "Hedda Gabler," whose rise to the rank of an American "star" has paralleled that of Bertha Kalish.

Clark says that it was an unauthorized act. We are deprived of the views of Senator Clark's colleague for the reason of his having been caught red-handed with his fences around a huge tract of public lands, and a consequent sensitiveness on the whole subject. Senator Clark himself has been accused of representing in the senate the great railways which traverse his state, and which are accused of having robbed the public domain of enormous areas of coal lands by fraudulent entries. Neither Senator Clark nor any of the other senators who shudder at Hitchcock's illegal action were able to detect the steal in the bill which would have given to the railways a billion dollars' worth of coal last year; but the inexperienced La Follette saw it at once, and the bill was killed. The people would like to see every acre of coal land now owned by the govern-

ment permanently withdrawn from the market and freely mined by government lessees on a royalty basis. We should feel safer from coal famines. We should appreciate the revenue. On the whole, we hope Hitchcock's successor in office, if he makes mistakes, may make them in favor of the common good instead of against it, thus following in Hitchcock's footsteps.

THE READER published in its December number a portrait of the grand old man of American letters, Donald G. Mitchell, an achievement in photographic portraiture so sympathetic as to elicit a number of letters of appreciation and inquiry. The portrait was the copyrighted work of Mr. Arthur G. Eldridge, of New York City; and apart from its singular merit as a study of character and a work of art, it is interesting as being the only new portrait of "Ik Marvel" that has been published of late years. Dr. Mitchell's extreme age (his early writings brought him the friendship of Washington Irving) makes it necessary for him to receive none but his immediate family circle, and, with this one exception, has prevented his sitting for his portrait. It is, therefore, a genuine debt of gratitude that is due Mr. Eldridge from the thousands who admire and love the author of "Dream Days" and "Reveries of a Bachelor."

WE have heaped many absurdities upon that excellent—though dead—gentleman, General George Washington. We have perpetuated ridiculous juvenile lore about him, have dubbed him "a steel engraving," have eliminated his charm and his magnif-

icence, and held him up to a disapproving generation as a prig, and now we have condescended to accept the very residuum of the most negligible portion of his correspondence concerning domestic affairs. These letters, addressed to his secretary, Tobias Lear, were written in the belief that, their commands having been executed, they would be consigned to the files destined for destruction. They were fit for such uses, and for no others. They dealt with the minutiae of farms, stock, kitchen service, tailors, vehicles, comings and goings, tenants, law-suits, etcetera, etcetera. They were quite distinctly the affair of General Washington and of no other living soul save those employed to carry out his wishes. That the descendant of his secretary should betray this orderly, frugal landowner and housekeeper, making his economies known and his shifts common talk, is justified only by one incident. The incident is that this descendant, Mrs. Eyre, has a quilt made by the industrious hands of Martha Washington. The quilt is mentioned early and oft; a full-paged illustration of the variegated horror is, with misplaced pride, given an honorable place. One long neglected lady whose portrait is published is differentiated from the rest of her sex by the mention that she is one of the series of three wives essayed by Mr. Tobias Lear, and that it was she who was the recipient of the quilt shown in a foregoing illustration. There is a quality of mind that rejoices in dinky historical souvenirs of this sort, but the mutual felicitations of such, their exchanges of trivial confidences and secret heart-burnings, need not be intruded on those of more vital activities.

THE GOLDEN GOAL

By FRANK CRANE

This little weed, a roadside plant,
A parched and piteous suppliant,
Trampled and doomed,
Clung to the dusty skirts of life,
And would not yield the tragic strife
Until it bloomed.

O brave weed, with your crimson prize,
Your destiny has touched mine eyes,
To show me why
Our race, along its sordid way,
Still dreams a coming golden day
And can not die.



RABBIT HUNTIN'

By JAMES WHITCOMB RILEY

In the jolly winters
Of the dead-and-gone,
Startin' out rabbit huntin'—
Early as the dawn,—

Who ever froze his fingers,
Ears, heels, or toes,—
Or 'd 'a' cared if he had?
Nobody knows!

SONNET TO CARE

By RICHARD KIRK

Altho' none else welcome, I will welcome thee
To my unblest abode to-night, O Care;
And tho' none solace thee, lo! I will share
This garret with thee, Care, right cheerfully
If thou wilt do this simple task for me.
And I will give to thee this crown to wear,
Of poesy, and by thy prowess swear—
If thou wilt do it.—Yea, eternally!

Ofttimes have men thy honored name reviled,
Forgetting quite thine old proverbial worth;
But I will cleanse thine honor long defiled,
And make thy fame enduring on the earth,
And thee with votive offerings make fat!
Come, then, O Care, *and kill my neighbor's cat!*

STRANGE, ISN'T IT?

That a cavalryman unhorsed is most easily
cowed?

That one can show his temper only after
he has lost it?

That a contractor should be called upon
to expand a house?

That no young man ever rose rapidly till
he had settled down?

That the plow must be soiled before the
soil can be plowed?

That a susceptible fellow is hardest hit by
the softest glances?

That in everything (save baseball) you
must strike out to make a hit?

That so many students can not state bald
facts without splitting hairs?

That the papers so often refer to a man's
double life as a singular career?

That hard liquor should upset the fellow
who has just been setting it up?

That the straighter a man drinks his
whisky the crookeder he walks home?

That a chap who can't abide pets about
the house will sit up half the night to fatten
up a kitty?

A TRANSMIGRATOR

Black Sarah was busily employed about
our northern kitchen, remarked a house-
keeper, when I had occasion to go out there
and by way of being pleasant said:

"You are from the South, are you not,
Sarah?"

"Law, yes, miss!" was the answer.

"Born in the South?" I continued.

"Originally bawn in Richmond, miss,"
was the astonishing reply.

LITTLE BOY BLEW

Little Boy Blue, come blow your own horn,
'Twill bring you good fortune as sure as you're born.
The louder you blow it, the more you're admired,
And that, I've been told, is the goal that's desired.

